

POSTMASTERS

The following-named persons to be postmasters:

ALABAMA

Lynwood Junkins, Kennedy, Ala., in place of Felton Jones, retired.

ARIZONA

Willard W. Tolman, Avondale, Ariz., in place of L. F. Skubitz, retired.

ARKANSAS

Rollie H. Rea, Caraway, Ark., in place of F. S. Tucker, retired.

William H. Hundhausen, Jr., West Memphis, Ark., in place of D. W. Hall, retired.

COLORADO

Roscoe H. Dotter, Jr., Genoa, Colo., in place of W. D. Kaufman, removed.

GEORGIA

Hyman C. Miller, Cherrylog, Ga., in place of L. R. Miller, retired.

IDAHO

Acel L. Leaf, Cascade, Idaho, in place of T. R. Bowlden, removed.

ILLINOIS

Robert H. Robke, Germantown, Ill., in place of J. G. Robben, retired.

Ted L. Dickman, Meredosia, Ill., in place of E. E. Harbert, retired.

IOWA

Charles J. Seda, Cedar Rapids, Iowa, in place of W. C. Anawalt, deceased.

Anita A. Walgenbach, Hospers, Iowa, in place of D. W. Stover, transferred.

KANSAS

Margaret L. Albright, Pretty Prairie, Kans., in place of P. J. Voran, deceased.

KENTUCKY

Terry C. Watkins, Cadiz, Ky., in place of W. H. Cundiff, deceased.

MICHIGAN

Jack Lee Kelly, Olivet, Mich., in place of L. W. Church, deceased.

Carl Wudarcki, Ortonville, Mich., in place of F. A. Leece, retired.

Paul S. Sinnott, Owosso, Mich., in place of G. A. Gale, retired.

MINNESOTA

Gerald W. Strem, Fertile, Minn., in place of Elmer Reseland, deceased.

James C. Kuchera, South St. Paul, Minn., in place of A. C. Tweit, deceased.

NEW MEXICO

Mary S. Martinez, Abiquiu, N. Mex., in place of Joe Ferran, retired.

NEW YORK

Marion L. Pontello, Brewerton, N.Y., in place of N. M. McKinney, retired.

John J. Sullivan, Rock Hill, N.Y., in place of E. C. Yaple, retired.

OHIO

Ruth F. Weaver, Kansas, Ohio, in place of A. M. Schoendorff, retired.

Eugene J. Crusie, Lyndon, Ohio, in place of G. L. Taylor, transferred.

James E. Welher, Rio Grande, Ohio, in place of W. D. Wickline, transferred.

SOUTH DAKOTA

Harry L. Nelson, Scotland, S. Dak., in place of H. W. Grace, retired.

TENNESSEE

Linus L. Sims, Memphis, Tenn., in place of A. L. Moreland, retired.

Oren W. Johnson, Parrottsville, Tenn., in place of E. S. Dawson, retired.

Arthur J. Robinson, Sherwood, Tenn., in place of J. S. Maxwell, resigned.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 9 (legislative day of May 7), 1968:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Wilbur J. Cohen, of Michigan, to be Secretary of Health, Education, and Welfare.

DEPARTMENT OF THE TREASURY

John R. Petty, of New York, to be an Assistant Secretary of the Treasury.

TAX COURT OF THE UNITED STATES

The following-named persons to be judges of the Tax Court of the United States for the term of 12 years from June 2, 1968:

William M. Drennen, of West Virginia.

William M. Fay, of Pennsylvania.

C. Moxley Featherston, of Virginia.

Charles R. Simpson, of Illinois.

DEPARTMENT OF STATE

Frank E. McKinney, of Indiana, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Spain.

IN THE DIPLOMATIC AND FOREIGN SERVICE
The nominations beginning Donald C. Bergus, to be a Foreign Service officer of class 1, and ending Miss Joanna W. Witzel, to be a Foreign Service officer of class 6 and a consular officer of the United States of America, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on March 12, 1968.

HOUSE OF REPRESENTATIVES—Thursday, May 9, 1968

The House met at 12 o'clock noon.
His Holiness Vasken I, Supreme Patriarch and Catholics of all Armenians, Etchmiadzin, Armenia, offered the following prayer:

In the name of the Father and of the Son and of the Holy Spirit. Amen.

We thank You, O Lord, our God, for granting us the opportunity of standing at this time in the midst of this venerable legislative assembly, as the humble spiritual head of the Armenians and a servant of Your church.

As we visit this wonderful land, we offer You our gratitude for the peace and prosperity that the children of our church, the descendants of the world's most ancient Christian state, have found in this hospitable country.

We fervently implore, O Lord, that You guide the minds and wills of all legislators everywhere, to bring about justice and peace, love, and happiness in this strife-torn and restless world of ours.

You, O Lord, who are the true destiny of men and of nations, grant, we beseech You, Your wisdom and guidance to these distinguished Representatives of the people of the United States of America that they may lead this country with courage and compassion toward purposes pleasing to You. We ask Your blessings in Christ's name and we glorify Him together with You and the Holy Spirit now and forever. Amen.

THE JOURNAL

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

MESSAGE FROM THE SENATE

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

H.J. Res. 1234. Joint resolution to provide for the issuance of a gold medal to the widow of the late Walt Disney and for the issuance of bronze medals to the California Institute of the Arts in recognition of the distinguished public service and the outstanding contributions of Walt Disney to the United States and to the world.

The message also announced that the Senate agrees to the amendments of the House to a bill and joint resolution of the Senate of the following titles:

S. 1909. An act to provide for the striking of medals in commemoration of the 100th anniversary of the completion of the first transcontinental railroad; and

S.J. Res. 129. Joint resolution to authorize the Secretary of Transportation to conduct a comprehensive study and investigation of the existing compensation system for motor vehicle accident losses, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 12639) entitled "An act to remove certain limitations on ocean cruises," 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. BARTLETT, Mr. BREWSTER, Mr. COTTON, and Mr. GRIFFIN to be the conferees on the part of the Senate.

THE CARMEL, N.Y., HIGH SCHOOL BAND

Mr. OTTINGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. OTTINGER. Mr. Speaker, the marvelous music that my colleagues heard as they entered the Capitol today was presented by the Carmel, N.Y., High School band, led by band director, Dan Mooney, and band president, Nick Chapis. I think everyone will agree that they gave a superior and exciting performance.

Seventy-six members of the 85-member band came to Washington from Putnam County. This fine musical organization was formed in 1960 and has given 10 concerts each year since then. They performed at the New York State Teachers Association Conference and at the New York State World's Fair in 1964 and 1965. The band toured upstate New York, Canada, and New England, also.

The band's performance today opened with a very thrilling rendition of the "Star Spangled Banner" and continued with selections by George Gershwin and a march composed by Dan Mooney.

It was my very great privilege to have arranged this concert. Here is a group of young people who typify the very best in America's youth. They are proud of their country and proud to display their

talents at the Nation's Capitol. We all join in welcoming them.

THE POOR PEOPLE'S CAMPAIGN

Mr. RYAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. RYAN. Mr. Speaker, next Monday some one thousand participants in the Poor People's Campaign are expected to be in Washington. I have been distressed by the reaction of many Members to that campaign.

The Constitution expressly guarantees the right of petition and peaceably to assemble. Judging by the reports issued by the National Advisory Commission on Civil Disorders, the Citizens' Board of Inquiry into Hunger and Malnutrition, and the President's Advisory Council on Public Welfare, and a host of other studies dealing with the plight of the poor in America, and the impact of existing Federal Government programs on their conditions, the poor have ample reason to petition and to assemble.

About 66 Members have introduced legislation designed to impede their campaign by restricting the right to peaceably assemble. The Public Works Committee has ordered reported H.R. 16981, as amended, which restricts camping and requires the posting of a surety bond for the use of public property. To attach a financial condition to the right of assembly is of doubtful constitutionality.

Congress regularly accepts and welcomes lobbyists and spokesmen for various interests—so long as they are wearing suits and ties. But let grassroots lobbyists arrive in dungarees and in mule carts, representing the downtrodden and oppressed of America, let them come and try to open hearts and minds, and the response is repressive.

The other day a young lady was told by a Capitol Guard that she could not set foot on the Capitol Grounds unless she removed a button honoring the late Martin Luther King.

Let us greet the representatives of the Poor People's Campaign as citizens exercising constitutionally protected rights, seeking to redress longstanding and proven grievances, and let us listen carefully to what they have to say.

SURTAX PROPOSAL

Mr. VANIK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. VANIK. Mr. Speaker, I am shocked to learn that the House-Senate conferees are demanding an unholy ransom for the surtax proposal.

This action completely disregards the overwhelming vote in the Ways and Means Committee of last Monday, which

rejected the \$6 billion budget cut as a condition for the surtax.

The Nation cannot suffer the emasculation of vital programs such as education, health, and welfare, as well as programs directed toward the solution of critical urban needs.

I recognize the need for a surtax, but not at this price.

LEGISLATIVE PROGRAM FOR REMAINDER OF THIS WEEK

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. ARENDS. Mr. Speaker, I take this time to ask the distinguished majority leader if he has an announcement to make relative to the program for the remainder of today and possibly tomorrow.

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

Mr. ARENDS. I yield to the gentleman.

Mr. ALBERT. Mr. Speaker, in response to the inquiry of the distinguished minority whip, the first order of business today will be a conference report, which the gentleman from Pennsylvania is about ready to call up.

The second order of business will be the Higher Education Act Amendments. The third order of business will be H.R. 15951, uniform annual observance of certain legal holidays on Monday, and the fourth will be H.R. 16911, the Special Drawing Rights Act.

It is hoped these bills will be finished today, but in any event it is planned that they will be finished this week, which means meeting tomorrow if they are not finished today.

SUBCOMMITTEE ON INVESTIGATIONS, COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE—PERMISSION TO SIT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Investigations of the Committee on Interstate and Foreign Commerce may sit today during general debate.

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

There was no objection.

ARMS CONTROL AND DISARMAMENT ACT AMENDMENTS—CONFERENCE REPORT

Mr. MORGAN. Mr. Speaker, I call up the conference report on the bill (H.R. 14940) to amend the Arms Control and Disarmament Act, as amended, in order to extend the authorization for appropriations, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 124]

Andrews, Ala.	Green, Oreg.	Matsunaga
Ashmore	Gubser	Miller, Calif.
Bevill	Hagan	Mize
Bolton	Halleck	Moore
Brown, Calif.	Hanna	Morse, Mass.
Buchanan	Hansen, Idaho	Nichols
Carter	Hansen, Wash.	O'Hara, Ill.
Casey	Hardy	O'Hara, Mich.
Corman	Harrison	Olsen
Cunningham	Harsha	Pryor
Dickinson	Hawkins	Reifel
Dingell	Hays	Resnick
Dowdy	Holland	Rivers
Dwyer	Jarman	Selden
Edwards, Ala.	Jones, Ala.	Stubblefield
Eilberg	Karsten	Teague, Tex.
Flood	Kornegay	Thompson, Ga.
Frelinghuysen	Landrum	Tunney
Gardner	Lukens	Watts
Gettys	MacGregor	Wyatt

The SPEAKER. On this rollcall 375 Members have answered to their names, a quorum.

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

ARMS CONTROL AND DISARMAMENT ACT AMENDMENTS—CONFERENCE REPORT

The SPEAKER. The Clerk will read the statement of the managers on the part of the House.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 1347)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 14940) to amend the Arms Control and Disarmament Act, as amended, in order to extend the authorization for appropriations, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 1 and agree to the same with an amendment as follows: On the first page, line 2, of the Senate engrossed amendments, strike out "\$17,000,000" and insert "\$18,500,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 2 and agree to the same.

THOMAS E. MORGAN,
CLEMENT J. ZABLOCKI,
EDNA F. KELLY,
WAYNE L. HAYS,
WM. S. MAILLIARD,
PETER H. B. FRELINGHUYSEN,
Managers on the Part of the House.

J. W. FULBRIGHT,
JOHN SPARKMAN,
MIKE MANSFIELD,
WAYNE MORSE,
G. D. AIKEN,
BOURKE B. HICKENLOOPER,
FRANK CARLSON,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the

two Houses on the amendments of the Senate to the bill (H.R. 14940) to amend the Arms Control and Disarmament Act, as amended, in order to extend the authorization for appropriations, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate amended the House bill in two respects: (1) the House authorization of \$20 million for the two fiscal years 1969 through 1970 was reduced to \$17,000,000 for the same period and (2) a limitation of \$7,000,000 (not including funds for field testing) was imposed on the amount of such funds which could be spent for research conducted outside the Arms Control and Disarmament Agency.

FUNDS AUTHORIZED

The managers on the part of the House agreed to a figure of \$18,500,000 for the two year period, a reduction of \$1,500,000 below the House figure and an increase of \$1,500,000 above the Senate figure.

LIMITATION ON RESEARCH

The managers on the part of the House accepted the limitation of \$7,000,000 on the funds which may be spent for external research (research conducted outside the Agency whether by other government agencies or by public or private institutions or by persons) provided this limitation does not apply to field test activities.

The managers on the part of the House concurred in the position taken by the Senate that the research program being financed by the Arms Control and Disarmament Agency included projects which could be curtailed or eliminated without detriment to the effectiveness of the Agency's operations.

THOMAS E. MORGAN,
CLEMENT J. ZABLOCKI,
EDNA F. KELLY,
WAYNE L. HAYS,
WM. MAILLIARD,
PETER H. B. FRELINGHUYSEN,

Managers on the Part of the House.

The SPEAKER. The gentleman from Pennsylvania [Mr. MORGAN] is recognized for 1 hour.

Mr. MORGAN. Mr. Speaker, there were two differences between the House and Senate bills.

The bill passed by the House authorized \$20,000,000 for the 2-year period including the fiscal years 1969 and 1970.

The Senate amended the House bill by reducing the authorization for the same 2-year period to \$17,000,000.

The conference committee agreed to split the difference between the House and Senate amounts and accepted a figure of \$18,500,000.

The other difference was a limitation of \$7,000,000 on the use of funds for external research, not including funds for field testing, imposed by the Senate.

The House bill did not contain such a limitation.

The House conferees accepted the Senate provision.

The Executive had programed \$11,872,000 for external research, of which \$3,378,000 was for field testing.

The Senate limitation of \$7 million, plus the \$3,378,000 for field tests make a total of \$10,378,000 for external research, including field tests for the 2-year period.

This would mean a cut of \$1,494,000 in the external research program requested by the Executive.

The House conferees believe that a cut of this amount would not do any serious harm.

Mr. Speaker, I wish that all of our conferences were as simple as this. I do not believe that anyone can have serious objection to what the managers on the part of the House have done, and I urge the approval of the conference report.

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

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

Mr. GROSS. Is the \$7 million for research per year, or is that a total amount?

Mr. MORGAN. It is the total for the 2-year period.

Mr. GROSS. Total for the 2-year period?

Mr. MORGAN. That is correct.

Mr. GROSS. The House, I believe the gentleman said, passed a bill for \$20 million?

Mr. MORGAN. Yes; for a 2-year period.

Mr. GROSS. The other body passed a bill for \$17 million?

Mr. MORGAN. That is correct.

Mr. GROSS. In view of the financial crisis that faces this country, is there any valid reason why the House did not accept the Senate version of \$17 million, with a consequent \$3 million cut in this program?

Mr. MORGAN. Of course, the gentleman knows that the original request was for \$33 million for a 3-year period. This was debated and the House approved a motion to recommit with instructions to reduce the authorization to \$20 million for a 2-year period.

It was the obligation of the House conferees to defend the \$20 million which was approved by the House in conference, and we did our best.

Mr. GROSS. You did your best, I would say to the gentleman, by failing to adopt the Senate version and thus save the taxpayers \$3 million.

Mr. MORGAN. I will say to the gentleman, I am one who does not very often agree with the position taken by the Senate, and I did not think the gentleman from Iowa belonged to the Senate club, either.

Mr. GROSS. It is not a question of enchantment with the Members of the other body. This is a question of having some regard for and enchantment for the taxpayers of this country, who, after all, have to put up the money. This was an excellent opportunity—I cannot think of any better way—to save \$3 million, but apparently the House conferees muffed the ball. Whatever happened I do not know, I simply cannot understand why the lower figure was not accepted.

Mr. MORGAN. I will say to the gentleman again, the reason is that we supported the position of the House.

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

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

Mr. DERWINSKI. I should like to point out to the distinguished chairman of the committee and to the gentleman from Iowa that perhaps I am partly responsible for the problem the gentleman from Iowa foresees because, as the author of the motion to recommit, evidently I was a little too liberal with the figures. If we had had a motion to recommit cutting

the figure down, let us say, to \$18 million instead of \$20 million, then the chairman would have had an opportunity to accept a figure close to the Senate figure. I do not believe the chairman of the committee, as much as those of us who worked on the motion to recommit, is to be blamed for excessive liberalism of the House. The next time I will try to cut it a little lower, and then we will not have this problem.

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

Mr. MORGAN. I yield to the gentleman from Indiana [Mr. ADAIR].

Mr. ADAIR. Mr. Speaker, I rise in support of the conference report that has been presented here today with regard to the Arms Control and Disarmament Act.

In my opinion, this bill has been substantially improved by the actions taken by the House, the Senate, and subsequently by the House-Senate conference.

You will recall that the bill we considered on the floor of the House on March 6 called for a 3-year authorization and for the sum of \$33 million. The House, in my judgment, acted wisely in cutting the original authorization request from 3 years to 2 years, and in reducing the dollar amount to \$20 million.

Additional improvements were made in conference, cutting the dollar amount further to \$18,500,000 for the 2-year period, and setting a limitation of \$7 million on external research, not including field test activities.

Many of you will recall that a number of us in our supplemental views on the House bill had expressed great concern over the extent and type of external research being conducted by the agency. So, I am gratified that a limitation on external research has been set. I am also pleased that under this bill, as amended, the next Congress will have an opportunity carefully to examine the work of the Arms Control and Disarmament Agency. In view of these improvements in the act, I support its passage.

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

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

Mr. GROSS. I simply cannot understand what has come over the House of Representatives, in that it now covets the role in all too many instances of being the big spender in Congress. At one time the House was known as the economy body of the Congress. Apparently it covets this role of being the big spender. I am surprised and disappointed.

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

The previous question was ordered.

The SPEAKER. The question is on the conference report.

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

Mr. 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 Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 269, nays 90, not voting 74, as follows:

[Roll No. 125]

YEAS—269

Adair	Gibbons	Pepper
Adams	Gilbert	Perkins
Addabbo	Gonzalez	Pettis
Albert	Goodel	Philbin
Anderson, Ill.	Goodling	Pickle
Anderson, Tenn.	Gray	Pike
Andrews, N. Dak.	Green, Pa.	Pirnie
Annunzio	Griffiths	Poage
Arends	Gude	Podell
Aspinall	Hamilton	Poff
Ayres	Hammer-	Pollock
Barrett	schmidt	Price, Ill.
Bates	Hanley	Pucinski
Bell	Harvey	Purcell
Bennett	Hathaway	Quie
Berry	Hechler, W. Va.	Railsback
Betts	Heckler, Mass.	Randall
Blester	Helstoski	Rees
Bingham	Hicks	Reid, N.Y.
Blanton	Hollifield	Reuss
Blatnik	Horton	Riegler
Boiland	Howard	Robison
Bolling	Hungate	Rodino
Brademas	Hunt	Rogers, Colo.
Brasco	Hutchinson	Ronan
Bray	Ichord	Rooney, N.Y.
Brooks	Irwin	Rooney, Pa.
Broomfield	Jacobs	Rosenthal
Brown, Ohio	Joelson	Rostenkowski
Broyhill, Va.	Johnson, Calif.	Roth
Burke, Mass.	Johnson, Pa.	Roudebush
Burton, Calif.	Jonas	Roush
Bush	Karth	Roybal
Button	Kastenmeier	Rumsfeld
Byrne, Pa.	Kazen	Ruppe
Byrnes, Wis.	Kee	Ryan
Cahill	Keith	St Germain
Carey	Kelly	Sandman
Chamberlain	King, Calif.	Scheuer
Clark	Kleppe	Schneebeli
Cleveland	Klukzynski	Schweiker
Cohelan	Kornegay	Schwengel
Conable	Kupferman	Scott
Conte	Kyl	Shipley
Conyers	Kyros	Shriver
Corbett	Leggett	Sisk
Cowder	Lloyd	Skubitz
Culver	Long, Md.	Slack
Daddario	McCarthy	Smith, Iowa
Daniels	McClary	Smith, N.Y.
Davis, Ga.	McClure	Springer
Dawson	McCulloch	Stafford
de la Garza	McDade	Staggers
Delaney	McDonald,	Stanton
Dellenback	Mich.	Steiger, Wis.
Denney	McEwen	Stevens
Dent	McFall	Stratton
Derwinski	Macdonald,	Sullivan
Diggs	Mass.	Taft
Dingell	Machen	Taylor
Donohue	Madden	Thompson, N.J.
Dow	Mahon	Thomson, Wis.
Dulski	Mailhard	Tiernan
Eckhardt	Martin	Tunney
Edmondson	Mathias, Md.	Udall
Edwards, Calif.	May	Ullman
Edwards, La.	Mayne	Van Deerlin
Erlenborn	Meeds	Vander Jagt
Esch	Michel	Vanik
Eshleman	Miller, Ohio	Vigorito
Evans, Colo.	Minish	Waldie
Evins, Tenn.	Mink	Wampler
Fallon	Monagan	Watkins
Farbstein	Moorhead	Whalen
Fascell	Morgan	Whalley
Feighan	Morris, N. Mex.	White
Fino	Morton	Widnall
Foley	Mosher	Wiggins
Ford, Gerald R.	Moss	Williams, Pa.
Ford,	Murphy, Ill.	Willis
William D.	Murphy, N.Y.	Wilson
Fountain	Myers	Charles H.
Fraser	Natcher	Winn
Friedel	Nedzi	Wolf
Fulton, Pa.	Nelsen	Wright
Fulton, Tenn.	Nix	Wyder
Gallfianakis	O'Hara, Mich.	Wylie
Gallagher	O'Neill, Mass.	Wyman
Garmatz	Ottinger	Yates
Gialmo	Patman	Young
	Patten	Zablocki
	Pelly	Zwach

NAYS—90

Abbitt	Battin	Brook
Abernethy	Belcher	Brown, Mich.
Ashbrook	Bow	Broyhill, N.C.
Baring	Brinkley	Burke, Fla.

Burleson	Haley	Reid, Ill.
Burton, Utah	Hall	Reinecke
Cabell	Henderson	Rhodes, Ariz.
Casey	Herlong	Roberts
Clancy	Hosmer	Rogers, Fla.
Clausen,	Hull	Satterfield
Don H.	Jones, Mo.	Schadeberg
Clawson, Del.	Jones, N.C.	Scherle
Collier	King, N.Y.	Sikes
Colmer	Kuykendall	Smith, Calif.
Cramer	Langen	Smith, Okla.
Curtis	Lennon	Snyder
Davis, Wis.	Lipscomb	Steed
Devine	Long, La.	Steiger, Ariz.
Dole	McMillan	Stuckey
Dorn	Marsh	Talcott
Downing	Meskill	Teague, Calif.
Duncan	Mills	Thompson, Ga.
Findley	Minshall	Tuck
Fisher	Montgomery	Waggonner
Flynt	O'Konski	Walker
Fuqua	O'Neal, Ga.	Watson
Gathings	Passman	Whitener
Griffin	Pool	Whitten
Gross	Price, Tex.	Zion
Grover	Quillen	
Gurney	Rarick	

NOT VOTING—74

Andrews, Ala.	Green, Oreg.	Mathias, Calif.
Ashley	Gubser	Matsunaga
Ashmore	Hagan	Miller, Calif.
Bevill	Halleck	Mize
Blackburn	Halpern	Moore
Boggs	Hanna	Morse, Mass.
Bolton	Hansen, Idaho	Nichols
Brotzman	Hansen, Wash.	O'Hara, Ill.
Brown, Calif.	Hardy	Olsen
Buchanan	Harrison	Pryor
Carter	Harsha	Reifel
Cederberg	Hawkins	Resnick
Celler	Hays	Rhodes, Pa.
Corman	Hébert	Rivers
Cunningham	Holland	St. Onge
Dickinson	Jarman	Saylor
Dowdy	Jones, Ala.	Selden
Dwyer	Karsten	Stubblefield
Edwards, Ala.	Kirwan	Teague, Tex.
Ellberg	Laird	Tenzer
Everett	Landrum	Utt
Flood	Latta	Watts
Frelinghuysen	Lukens	Wilson, Bob
Gardner	McCloskey	Wyatt
Gettys	MacGregor	

So the conference report was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Bob Wilson for, with Mr. Dickinson against.

Mr. Kirwan for, with Mr. Andrews of Alabama against.

Mrs. Dwyer for, with Mr. Gardner against.

Mr. Hébert for, with Mr. Ashmore against.

Mr. Latta for, with Mr. Blackburn against.

Mr. Frelinghuysen for, with Mr. Utt against.

Mrs. Bolton for, with Mr. Buchanan against.

Mr. Harrison for, with Mr. Carter against.

Mr. Celler for, with Mr. Bevill against.

Mr. Miller of California for, with Mr. Hagan against.

Mr. Matsunaga for, with Mr. Jarman against.

Mr. Ellberg for, with Mr. Teague of Texas against.

Until further notice:

Mr. Corman with Mr. McCloskey.

Mr. Ashley with Mr. Cunningham.

Mr. Tenzer with Mr. Halpern.

Mr. Nichols with Mr. Edwards of Alabama.

Mrs. Green of Oregon with Mr. Saylor.

Mr. Hays with Mr. Halleck.

Mr. Hanna with Mr. Reifel.

Mr. St. Onge with Mr. Morse of Massachusetts.

Mr. Brown of California with Mr. MacGregor.

Mr. Flood with Mr. Laird.

Mr. Gettys with Mr. Harsha.

Mr. O'Hara of Illinois with Mr. Moore.

Mr. Jones of Alabama with Mr. Brotzman.

Mr. Watts with Mr. Gubser.

Mr. Landrum with Mr. Mize.
Mr. Olsen with Mr. Hansen of Idaho.
Mr. Rivers with Mr. Mathias of California.
Mr. Rhodes of Pennsylvania with Mr. Lukens.

Mr. Everett with Mr. Wyatt.
Mr. Resnick with Mr. Hawkins.
Mr. Holland with Mr. Dowdy.
Mr. Stubblefield with Mr. Karsten.
Mrs. Hansen of Washington with Mr. Hardy.

Mr. Pryor with Mr. Cederberg.

Mr. COWGER and Mr. PETTIS changed their votes from "nay" to "yea." Mr. BURTON of Utah changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

PROVIDING ADDITIONAL COMPENSATION FOR SERVICES PERFORMED BY CERTAIN EMPLOYEES IN THE HOUSE PUBLICATIONS DISTRIBUTION SERVICE

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 1368) on the resolution (H. Res. 1159) providing additional compensation for services performed by certain employees in the House Publications Distribution Service, and ask for immediate consideration of the resolution.

The Clerk read the resolution, as follows:

H. RES. 1159

Resolved, That, notwithstanding any other provisions of law, there is authorized to be paid out of the contingent fund of the House of Representatives such sums as may be necessary to pay compensation to each employee of the Publications Distribution Service of the House of Representatives in a position at compensation level 4 or lower as established in accordance with the House Employees Position Classification Act for all services performed by such employee in excess of the normal workday where such services are authorized by the Committee on House Administration. Such compensation shall be paid on an hourly basis at a rate equal to the rate of compensation otherwise paid to such employees.

This resolution shall take effect on its adoption and payments made under this resolution shall be terminated as the Committee on House Administration determines necessary.

The resolution was agreed to.
A motion to reconsider was laid on the table.

PROVIDING FOR THE EXPENSES OF CONDUCTING STUDIES AND INVESTIGATIONS AUTHORIZED BY RULE XI(8) INCURRED BY THE COMMITTEE ON GOVERNMENT OPERATIONS

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 1369) on the resolution (H. Res. 1160) providing for the expenses of conducting studies and investigations authorized by rule XI(8) incurred by the Committee on Government Operations, and ask for immediate consideration of the resolution.

The Clerk read the resolution, as follows:

H. Res. 1160

Resolved, That the further expense of conducting the studies and investigations authorized by rule XI(8) and H. Res. 110, Ninetieth Congress, incurred by the Committee on Government Operations acting as a whole or by subcommittee, not to exceed \$250,000, including expenditures for employment of experts, special counsel, and clerical, stenographic, and other assistants, which shall be available for expenses incurred by said committee or subcommittee within and without the continental limits of the United States, shall be paid out of the contingent fund of the House on vouchers authorized by said committee, signed by the chairman thereof, and approved by the Committee on House Administration.

SEC. 2. The official stenographers to committees may be used at all hearings held in the District of Columbia, if not otherwise officially engaged.

SEC. 3. No part of the funds authorized by this resolution shall be available for expenditure in connection with the study or investigation of any subject which is being investigated for the same purpose by any other committee of the House, and the chairman of the Committee on Government Operations shall furnish the Committee on House Administration information with respect to any study or investigation intended to be financed from such funds.

SEC. 4. Funds authorized by this resolution shall be expended pursuant to regulations established by the Committee on House Administration under existing law.

With the following committee amendment:

On page one, line 5, strike out "\$250,000" and insert "\$225,000" in lieu thereof.

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF HIGHER EDUCATION STUDENT ASSISTANCE PROGRAMS

Mr. PERKINS. 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. 16729) to extend for 2 years certain programs providing assistance to students at institutions of higher education, to modify such programs, and to provide for planning, evaluation, and adequate leadtime in such programs.

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

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. 16729) with Mr. DONOHUE 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 Kentucky [Mr. PERKINS] will be recognized for 30 minutes, and the gentleman from Ohio [Mr. AYRES] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Kentucky.

Mr. PERKINS. Mr. Chairman, I yield myself 6 minutes.

If I recall correctly, on the opening day of subcommittee hearings on the Higher Education Amendments of 1968, the gentlewoman from Oregon [Mrs. GREEN], chairman of the subcommittee, said:

The most important issue in the bill is the timing of the legislation.

U.S. Commissioner of Education, Harold Howe, agreed with the subcommittee chairman saying:

I am particularly grateful for your emphasis on the problems of timing connected with this legislation procedure. The colleges will benefit tremendously if the consideration of this legislation can be advanced.

I doubt if there is a Member of Congress who is not aware of the severe problems brought about by late authorizations and late funding. This is particularly so in the administration of the student aid programs. The four student aid programs being extended by H.R. 16729 will expire at the end of June. It is necessary therefore at this time to enact authorizing legislation so as to provide for the orderly continuation of these programs. H.R. 16729 proposes such an extension.

In addition—and very importantly—the bill provides not only for an extension in fiscal year 1969 but also an extension through fiscal year 1970. There is a related provision which proposes advance funding authority for the four student aid programs. Enactment therefore of this legislation will enable not only an orderly continuation of the programs next year, but also in fiscal year 1970.

H.R. 16729 is another example of the fine bipartisan cooperation that has been characteristic of the Special Subcommittee on Education under the chairmanship of the distinguished gentlewoman from Oregon [Mrs. GREEN]. Not only am I, but the Congress and the American people are appreciative of the untiring efforts she has made over the years for our colleges and universities and for our college students. In this effort, she has been joined ably by the ranking majority member of the subcommittee, the gentleman from Indiana [Mr. BRADEMANS], and the ranking minority member of the subcommittee, the gentleman from Minnesota [Mr. QUEL]. To these gentlemen, and to the other members of the subcommittee on both sides of the aisle, I offer my congratulations for an excellent piece of legislation.

I wish to acknowledge also the excellent contribution which the chairman of the House Banking and Currency Committee, the gentleman from Texas [Mr. PATMAN], has made to this legislation. On two occasions he appeared as a witness before the special subcommittee and on numerous occasions, his staff has been of assistance to me and to members of my staff. It is largely through Mr. PATMAN's efforts that we were able to find a satisfactory solution to what has been a severe problem in the guaranteed student loan program. On the basis of his testimony, the subcommittee dropped from the administration's bill the very controversial provision for placement and conversion fees to local lenders. In lieu of that provision, H.R. 16729 con-

tains a much more preferable approach to the problem under which the ceiling on interest rates for student loans is raised to 7 percent.

Mr. Chairman, it is always a pleasure to bring a well-considered and designed bill to the floor of the House. It is particularly a pleasure, and an honor, to bring before you today legislation which was approved in subcommittee and in the full committee by unanimous votes. But more than this, I feel privileged to be a part of a Congress which is saying to needy young men and women that the Federal Government will help them obtain a college education.

During the hearings on the higher education bill, the president of one of the colleges in my district indicated that 75 percent of the students at his institution rely on some form of financial assistance to go to college. Unquestionably the percentage of students receiving financial aid is not as high in many other institutions as it is in this individual situation. Whether it be 10 or 75 percent, we cannot—and I am confident that we will not—deny students the benefits from our student assistance programs.

Mr. Chairman, I will review briefly the major provisions of the bill.

H.R. 16729 proposes a 2-year extension of the three college-based student aid programs—national defense student loans, college work-study and educational opportunity grants. The total annual authorization proposed for the three college-based programs is at the same level as the 1968 authorization. A total of \$495,000,000 was authorized in fiscal year 1968 for the three programs. An identical sum is proposed for fiscal years 1969 and 1970.

Since the inception of the NDEA student loan program in 1958, over 2 million students have borrowed one and a quarter billion dollars. With the fiscal year 1968 appropriation of \$190 million, approximately 400,000 students received loans this year. Section 1 of the bill proposes a 2-year extension of the NDEA student loan program, with an annual authorization of appropriation of \$200,000,000. The proposed authorization is \$25,000,000 less than the fiscal year 1968 authorization.

However, with an authorization of \$200,000,000, the anticipated repayment of \$64,000,000 to institutional revolving funds and the respective institutional contributions to the program, \$274,000,000 will be available for loans to approximately 422,000 student borrowers during fiscal year 1969, and 432,000 students in fiscal year 1970.

During consideration of this legislation by the Rules Committee, questions were raised with regard to the eligibility of student borrowers. Based on our discussion, I requested of the Office of Education information which would clarify the eligibility criteria for participation in the program. The Office of Education has supplied me with a memorandum which I should like to insert in the RECORD at this point:

ELIGIBILITY OF STUDENT BORROWERS: NATIONAL DEFENSE STUDENT LOAN PROGRAM

THE ACT

Section 205(d) of the Act provides: An agreement under this title for payment of Federal capital contributions shall include provisions designed to make loans from the

student loan fund established pursuant to such agreement reasonably available (to the extent of the available funds in such fund) to all eligible students in such institution in need thereof.

Section 204(4) of the Act provides:

An agreement with any institution of higher education for Federal capital contributions by the Commissioner under this title shall provide that in the selection of students to receive loans from such student loan fund special consideration shall be given to students with a superior academic background;

Note: The amendment substituting "students with a superior academic background" in lieu of all previous special considerations is applicable to the selection of students made in or after the second month following the month in which Public Law 88-665 was enacted.

THE REGULATIONS

Section 144.7(d) of the Regulations provides:

Loans from the Fund shall be made reasonably available (to the extent permitted by the Fund and subject to the provisions of section 204(4) of the Act) to all eligible applicants.

In the event applications exceed available funds, the order of selection shall be made on the basis of objective criteria established by the institution and made a part of the agreement for Federal capital contributions.

Section 144.7(e) of the Regulations provides:

No eligible applicant shall be denied a student loan from the Fund on account of sex, creed, race, color, or national origin.

THE TERMS OF AGREEMENT

Section E of the Terms of Agreement provides:

In the selection of students to receive loans from the Fund:

1. Special consideration shall be given to students with a superior academic background.

2. To the extent permitted by the Fund, loans shall be made available to all eligible applicants.

Section K of the Terms of Agreement provides:

The Institution agrees to comply with Title VI of the Civil Rights Act of 1964 and the Regulation issued by the Secretary of Health, Education, and Welfare pursuant thereto and with the Assurance of Compliance with such Regulation (Form HEW 441) which has been filed or is hereby filed with the Secretary of Health, Education, and Welfare.

THE MANUAL

Section 10301(d) of the Manual provides:

No eligible applicant shall be denied a National Defense Student Loan on account of sex, race, creed, color, or national origin. Also, the loan funds must be made available to eligible applicants without restriction as to State residency or marital status.

ELIGIBILITY OF STUDENT

An eligible student is defined by the Act as one who:

1. is in need of the amount of the loan to pursue a course of study at an institution,

2. is capable, in the opinion of the institution of maintaining good standing in such course of study,

3. has been accepted for enrollment as a student in such institution or, in the case of a student already attending such institution, is in good standing there either as an undergraduate, graduate, or professional student, and

4. is carrying at least one-half of the normal workload as determined by the institution.

Thus, a student who meets the above criteria is eligible regardless of his class, i.e., freshman, sophomore, junior, senior, graduate, or professional. However, in the last analysis, it is the responsibility of the Stu-

dent Financial Aid Office of the institution to determine who will receive a loan. If funds are short of his requirements, some students will inevitably not be able to receive loans.

I should like to indicate, however, that it is clear that a student who meets certain requirements of the act is eligible for a loan regardless of his class—that is, freshman, sophomore, junior, senior, graduate, or professional.

The Office of Education memorandum further indicates that if funds are short—and this is the case at present—some students will inevitably not be able to receive loans. I intend to give this entire matter further consideration with a view to determining whether additional measures might be necessary to insure that no student is discriminated against on the basis of his class.

Section 2 of H.R. 16729 proposes a 2-year extension of the college work-study program and authorizes an annual appropriation of \$225,000,000. Two million dollars was authorized in fiscal year 1968 for this program. The matching provisions for the work-study program are modified so as to provide, beginning in fiscal year 1969, an 80-percent Federal share of program costs.

Since 1964 and the beginning of the college work-study program, over a million needy students have been provided employment. Last year, 350,000 students participated in the program. Authorizations contained in H.R. 16729 will enable over 500,000 students to participate in the program each year.

Section 3 extends the educational opportunity grant program for 2 years with an annual authorization for initial-year grants of \$70,000,000. The authorization level for initial grants is identical with that in fiscal year 1968.

This year, 135,000 students received initial year educational opportunity grants. Approximately 90,000 received continuation grants. The opportunity grant program will provide 133,000 new grants each year under the proposed annual authorization of \$70 million for initial-year grants. Approximately 220,000 students in academic years 1969-70 and 230,000 in academic years 1970-71 will receive continuation grants under the authority proposed.

Also, this section would qualify college work-study earnings as matching for educational opportunity grants and would permit colleges to transfer opportunity grant money to their work-study program. With regard to this latter provision, I wish to make clear that my views are identical to the discussion of this issue in the committee report. I agree with the approach in H.R. 16729 which does not set an arbitrary percentage limitation—let us say 15, 20, or 25 percent—on the amount an institution may transfer from its grant program to the college work-study program—but in saying this, I do not wish to be interpreted as approving of a transfer which even approaches 15 percent.

Unquestionably the administration of the educational opportunity grant program is difficult, because it means that an institution of higher education must actively search out and motivate underprivileged but promising young students.

If an institution does not wish to participate in the program, then there is no requirement that they do so. No institution, however, should volunteer as a participant only in order to obtain additional funds for its college work-study program.

Briefly, the amendments to the guaranteed loan program are as follows:

Section 4 extends authority for payments to reduce student interest costs.

Section 5 extends the Federal loan insurance program.

Section 6 provides for a Federal guarantee of student loans insured under State and nonprofit private student loan programs.

Section 7 provides an authorization of \$10,000,000 for additional advances to reserve funds of State student loan insurance programs.

Section 8 increases the maximum interest rate under the student loan insurance program to 7 percent.

Section 9 merges the national vocational student loan insurance program with the guarantee program under the Higher Education Act.

Since the beginning of the guaranteed loan program, 938,000 loans totaling \$801 million have been made to college students. In fiscal year 1969, it is estimated that 750,000 new loans will be made totaling \$641 million. In fiscal year 1970 it is anticipated that 923,000 new loans will be made totaling \$794 million.

It is anticipated that the program will cost the Federal Government in terms of interest benefits and claims paid—\$63,500,000 in fiscal year 1969 and \$114,200,000 in fiscal year 1970. These annual costs include \$2,500,000 in fiscal year 1969 and \$9,500,000 in fiscal year 1970 in additional costs resulting from the proposal in H.R. 16729 to raise the ceiling on interest rates to 7 percent and to provide for Federal reinsurance of State guaranteed loans.

Finally—and perhaps the most important provision in H.R. 16729, as I have indicated—is the provision of advanced funding authority for the four student aid programs.

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

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

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

Mr. PERKINS. I yield myself 2 additional minutes.

Mr. PATMAN. Mr. Chairman, the gentleman from Kentucky has discussed in some detail the student loan program. I wish to ask the gentleman this question:

The original bill that was presented provided for a considerable amount of money to be used for fees that would have to be paid in addition to the 6-percent interest rate. The fees and the interest on the money with the interest rate presently existing, the interest rate would be 10, 12, or 14 percent, based upon the manner in which it was figured.

The gentleman's committee is to be commended and the gentleman in particular is to be commended for taking action against that. The interest rate was high enough already and this is a rate which I do not like. However, it is

so much better than what it was in the original bill. I just wonder what the difference is between the original bill and the bill as now being presented on the floor of the House.

I wish the gentleman would take time to explain that, what the committee did to improve the bill from the time it was offered until it was actually reported out on April 23.

Mr. PERKINS. Let me first preface my remarks by stating that the gentleman from Texas, in my judgment, made a great contribution to this legislation. The subcommittee eliminated the proposed placement and conversion fees largely on the basis of the gentleman's testimony.

The principal change in the bill is the deletion of the proposed conversion and placement fee proposal. In lieu of that the bill provides for an increase in the ceiling on interest rates. The committee feels that this is a far more preferable approach in encouraging greater participation in the program by local lending agencies.

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

Mr. PERKINS. Mr. Chairman, I ask unanimous consent that the gentleman from Oregon [Mrs. GREEN] may extend her remarks at this point in the RECORD.

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

There was no objection.

Mrs. GREEN of Oregon. Mr. Chairman, today we consider the future. The future of over 2 million students who will be affected by this legislation; 1.2 million students will receive financial assistance in fiscal year 1969, and about 1.9 million students will receive financial assistance in fiscal year 1970 if these programs are continued. Their future represents also the future of this country, for in providing the financial assistance proposed in H.R. 16729, Congress insures not only this Nation's increased security and productivity but also the freedoms and benefits to its citizens that justify a nation's continued existence.

H.R. 15067 is a bill approved without a dissenting vote in the Special Subcommittee on Education or in the full Committee on Education and Labor.

H.R. 16729 is a 2-year extension of the four major Federal student aid programs. The principal provisions of the bill are designed to:

First. Extend through fiscal year 1970 the student loan program carried on under title II of the NDEA.

Second. Extend through fiscal year 1970 the college work-study program carried on under title I of the Economic Opportunity Act.

Third. Extend through 1970 the educational opportunity grant program carried on under part A of title IV of the Higher Education Act of 1965.

Fourth. Extend through fiscal year 1970 the provisions of the guaranteed student loan program carried on under part B of title IV of the Higher Education Act of 1965, and strengthen its provisions by raising the ceiling on interest rates for student loans from 6 to 7 per-

cent, providing for Federal reinsurance of loans guaranteed by the States, authorizing additional funds for advances to the reserve funds of State programs, and merging the National Vocational Student Loan Insurance Act into the Higher Education Act.

The proposed authorization for fiscal years 1969 and 1970 for the college-based programs is the same as was authorized in fiscal year 1968. More funds are needed, but the committee, recognizing the financial difficulties of the time, has authorized only what is most urgently needed to continue existing programs.

H.R. 16729 contains provisions that were considered in 25 days of hearings. The provisions in H.R. 16729 are similar to provisions contained in H.R. 6232, the Higher Education Amendments of 1967 on which, during the first session of the 90th Congress, the Special Subcommittee on Education conducted 12 days of public hearings. On 4 of these days, the subcommittee considered, exclusively, amendments to the guaranteed student loan program. This year the special subcommittee, in considering H.R. 15067, the Higher Education Amendments of 1968, conducted 13 days of hearings. Again much of the testimony dealt with the student financial assistance programs.

The committee acted separately and first on the student assistance part of the higher education amendments because it was particularly urgent that this legislation be passed as soon as possible. Universities and colleges throughout the country need to know right now what funds are available for student assistance so they can make commitments to presently enrolled students and incoming freshmen for the next academic year.

I wish to thank at this time the distinguished chairman of the full Committee on Education and Labor Mr. PERKINS, who has assisted us and made available all the resources of the full committee in helping us expedite this legislation. He has been resourceful in his assistance and generous in his services. I would also like to thank all the members of the subcommittee who have devoted long hours of hard work in preparing the legislation for consideration on the floor today. I would particularly like to express my gratitude to two members of the subcommittee, Mr. BRADEMANS, the ranking majority member of one subcommittee, and Mr. QUIE, the distinguished minority leader of the subcommittee for their excellent contribution to this legislation.

The bill represents a response to the desperate need for immediate action in this field. But it is also a continuation of Congress understanding of the long-term needs of student assistance during a time of ever-increasing educational costs. Annual current expenditures of institutions of higher education increased from \$4.5 billion in 1956-57 to \$13.2 billion in 1966-67, almost a three-fold increase. They are expected to reach \$25.3 by 1976-77, or nearly double during the projected 10-year period.

While enrollment is not expected to increase at as rapid a rate as during the 10 years, this factor will be more than offset by increasing expenditures per student. This school year, costs of "student education" averaged \$1,400 per stu-

dent in public institutions and \$1,864 per student in nonpublic colleges.

Section 1 of H.R. 16729 deals with title II of the National Defense Education Act. The NDEA was enacted in 1958 in a period of some uneasiness about recent Soviet accomplishments. It is perhaps a sad commentary on our country that the first major Federal assistance to students continuing their education beyond high school resulted from fear of another country. Federal assistance to students should not have to be justified as a defense measure. Since its inception, however, NDEA has visually affected the quality and the availability of education in the United States. Probably the best known part of the act is title II which provides loans to college students. It is estimated that more than \$1 billion has been advanced to 1.4 million students borrowing at 1,700 institutions with the average annual loan amounting to \$460.

Section I of H.R. 16729 would extend the student loan program under title II of NDEA for 2 years and authorize appropriations of \$200 million for each fiscal year. It is estimated that the authorization figure of \$200 million in fiscal year 1969 will provide student loans for approximately 422,000 students. No other amendments to the student loan programs are proposed.

Section 2 of H.R. 16729 proposes the extension of the college work-study program for 2 years with an authorization of appropriations of \$225 million for each year. The college work-study program since its enactment in late 1964 has proved to be an efficient means of providing assistance to college students and enriching their education. In 1965 more than a thousand institutions provided employment for 1,500 students, and in 1966, 1,500 schools employed 275,000 students in work-study programs. For 1967, 1,700 institutions provided work for 300,000 students. When this legislation was first enacted, it was clearly understood that it would be of benefit to the student and to his educational institution, and so it has proven to be, allowing students to perform necessary services and functions in colleges; working in libraries, doing research projects for professors and in many ways not only enriching the students' education but providing a substantial contribution to the school itself.

As the work-study program developed, it became clear that it provided another benefit. It allowed students to serve many necessary and frequently neglected functions in their communities. This is particularly true during the summer months when the student is able to work full time for the community. There are many examples of meaningful work that has been done in the community.

At Appalachian State University, Boone, N.C., 20 students are employed under the college work-study program at Western Carolina Center, a residential facility for the care and treatment of mentally handicapped children. These students spend 12 weeks during the summer as aides at the center. The university has indicated that these work assignments furthered student interest in the care and treatment of mentally

handicapped children and enlightened students about the professional possibilities in this field.

Close to 100 students from South Dakota State University, Brookings, S. Dak., are employed each summer under the college work-study program in extension offices in most of the counties of the State.

Presbyterian College, Clinton, S.C., reports that 19 college work-study students will be employed at the community's first YMCA. Students will work as activity directors, lifeguards, coaches, counselors, and supervisors in the initial program starting this summer. The newly formed YMCA is the first activity of its kind in the city and will provide a much-needed program for young people.

The proposed authorization of \$225 million for fiscal year 1969 with the institutional contributions will allow about 509,000 students to participate in the work-study program. This authorization for fiscal years 1969 and 1970, which is slightly more than the authorization for fiscal year 1968 is based on the committee's conviction that even more can be done in this program to provide essential community services during the summer months. The educational institutions' request for work-study funds were in substantial excess of the proposed authorization.

By increasing the authorization even more, college students will work in their communities during the summer months. In this limited way it is the committee's hope that the program can assist in alleviating some of the grievous conditions in our urban areas.

Also section 2 modifies the college work-study matching provisions. Currently the Federal share is 85 percent; on August 20, 1968, it will drop to 80 percent; and on August 20, 1969, it will drop to 75 percent. Section 2 terminates the Federal share of 85 percent as of June 30, 1968, and provides that thereafter the Federal share be 80 percent.

An exception is provided in cases of a private nonprofit agency which would be unable to continue the program because of insufficient funds. This is a recognition by the committee that in these cases students employed by private nonprofit organizations are frequently providing necessary services for their community, which should be continued even though the employing agency does not have sufficient funds. This modification of the Federal matching share is consistent with the committee's wishes that to the fullest extent possible students under the work-study program be employed in the community during the summer months.

Section 3 proposes the extension of the educational opportunity grant program for 2 years; \$70 million would be authorized for initial year grants for fiscal year 1969, and the same amount for initial year grants in fiscal year 1970. In these 2 years such sums as are necessary will be authorized for continuing grants. The EOG program provides grants for college expenses to students of exceptional financial need. It is a very effective part of the total Federal financial aid package and is extremely important in providing

an educational opportunity for the most needy students.

During the first year of the program \$46,400,000 was awarded to the more than 123,000 needy students at 1,400 participating institutions. About 30,000 were from families whose gross income was under \$3,000 and 71 percent came from families with incomes of under \$6,000. This year it is estimated that about 226,800 students have received grants, 135,200 for the initial year and 91,600 for the first renewal year. About 1,600 institutions are currently participating in the program. Out of the proposed fiscal year 1969 authorization there will be 13,000 initial year grants and 221,000 continuation grants.

In student assistance there is rarely unanimous agreement. The testimony, though, on the Higher Education Act of 1968 was unanimous in the assertion that the present prohibition of college work-study funds as matching funds for the grant program was without grounds and could not be justified. Therefore, section 3 of the bill specifically permits college work-study assistance be considered in determining the amount of an EOG furnished a student. The section also permits EOG money to be transferred to the institution's college work-study program. These funds, however, must be matched by the institution in the same manner as is prescribed for the work-study program. This provision in no way reflects disillusionment of the Committee with EOG. I believe the EOG has and will continue to serve a useful and necessary purpose. This provision merely allows greater flexibility of the administration of funds at the institutional level.

Section 4 extends for 2 years the authority of the Commissioner to enter into agreements under which the Federal Government makes payments to reduce student interest costs on guaranteed student loans. It is under this authority that the Commissioner pays all of the interest charges on student loans while the borrower is in college and up to 3 percent of the interest charge during the repayment period of the loan. The Office of Education estimates that the cost of the interest subsidy in fiscal year 1969 will be \$61,383,000 and in Fiscal Year 1970 \$98,006,000.

The guaranteed student loan program was enacted as part of the Higher Education Act of 1965. It represents the attempt of the Federal Government to involve the states and the private sectors of the economy in providing sufficient funds for all who want to continue their education. In the more than 2 years since the enactment of this landmark legislation, guaranteed student loan programs have been established in one form or another in each of the States, the District of Columbia, and Puerto Rico. During that time and through February 29, 1968, over 796,000 loans totaling more than \$682 million have been made by State or private nonprofit agencies or insured by the Federal Government.

In fiscal year 1967, the programs' first full year of operation, 330,088 loans were made totaling \$248,494,000. As of February 29, 1968, a total of 418,204 loans totaling \$357 million had been made.

The anticipated volume for the two programs during fiscal year 1968 is estimated at 560,000 loans totaling \$476 million. If this goal is reached loans will be made to approximately 7.2% of first year enrollment. In fiscal year 1969, this percentage figure is expected to increase to approximately 9.7 percent with approximately 750,000 new loans made totaling \$641,250,000.

Section 5 extends for 2 years the program of federally insured student loans. Under this provision, the principal amount of new loans insured under the Federal program in fiscal years 1969 and 1970 could not exceed \$1.4 billion per year. At the present time the Federal insured loan program is operative in 19 States principally because the reserve funds of those States are presently insufficient to enable continuation of their program. Under the proposed amendments in this bill, particularly those proposing Federal reinsurance of State guaranteed loans, the operation of the Federal insurance program in many of these States will be obviated. The Federal program is still viewed by the committee as purely a standby program.

Section 6 introduces a new form of assistance to State loan guarantee programs. It provides a way of increasing the loan capacity of State programs but does not discourage State participation in these forms of programs. This section would authorize the Commissioner to enter into agreements with the States to insure, on behalf of the United States, 80 percent of each student loan guaranteed by the State. Presently most guarantee agencies have been operating on a 10 to 1 ratio, that is \$1 of reserve funds for each \$10 of loans outstanding. With the Federal Government reinsuring 80 percent of the loans, the guarantee agency is able to guarantee a great many more loans.

An example might best clarify the purpose of this provision. Under existing law, a student in the State of New York obtains a loan from a local bank which is guaranteed by the New York State agency. If he is from a family with an income of \$15,000 or less, then the Federal Government will subsidize the student's interest charges, but the Federal Government does not participate in the guaranteeing of the loan as this is the role of the State agency. Thus, if the student defaults, it is the State agency, not the Federal Government, who reimburses the lender.

Under the proposal contained in this section, the State would still guarantee the loan. However, the Federal Government would reinsure the loan. Thus, if the student should default, the Federal Government will reimburse the lender 80 percent of the loss and the State will reimburse 20 percent. This has the effect of greatly expanding the guarantee capacity of State agencies. The guarantee would not be available to those insurers which are precluded by State statute or regulation from using the Federal guarantee in lieu of a portion of its reserve fund.

The 1965 Higher Education Act provides for \$17.5 million in Federal "seed" money advances to help State programs get started. These funds have now largely

been used up, and in a number of States loans cannot be provided unless additional funds are made available. For this reason, section 7 of the bill would authorize an additional \$10 million which would be available in fiscal years 1969 and 1970, and would be advanced to a State or nonprofit private program only to the extent that the advance is equally matched by amounts from non-Federal sources.

The crucible of the guaranteed loan program is the participation of the private lending institutions of the country. Without their substantial participation in the program it cannot succeed. Although the program has made an encouraging start under difficult circumstances, the number of loans is not as great as anticipated. There are grave doubts about lending institutions' ability to participate in this program under prevailing financial conditions. These doubts were foreshadowed in the Special Subcommittee on Education's "Study of the U.S. Office of Education." The study suggested that this might be an ever increasing problem for this program. Subsequent studies have verified this fear about the inability of banks to participate in the program.

A 1967 interagency study concluded that while the guaranteed loan program is sound in conception, there was a shortage of funds provided, and unless some changes were made in the program the shortage of lending resources and of loan guarantee capacity would increase and jeopardize the very purpose of the program. It should be remembered that this program anticipates a large national extension of credit. In 1969 it is estimated that there will be 1,688,600 loans outstanding amounting to \$1,433,177,000. For fiscal year 1970 it is anticipated that there will be 2,612,100 outstanding loans amounting to \$2,146,408,000. In subsequent years it is further estimated that there will be an even greater increase in the number and the amount of loans outstanding in this program.

Obviously then, this program requires the participation of national lending institutions far beyond that of a mere contribution such as a contribution to the Community Chest or a sideline of their lending portfolio.

Finally, a "Study of Federal Student Loan Programs" conducted this year by the college entrance examination board also revealed that lending institutions were not receiving a reasonable return to insure their continued participation in this program. That study concluded that—

In the final analysis, success or failure of the GSLP—based as it is on private credit—will depend on the amount of private credit available. A State or Federal guarantee is obviously a stimulant to availability but, by itself, does not assure availability in the amounts required to meet student demand. Lenders seem willing as a social responsibility to meet demands (up to a point), depending on total resources available.

The failure of the lending institutions to participate and thereby jeopardizing the program was also verified by most of the testimony in the hearings on H.R. 15067.

It is clear then that some means must

be devised to make the program more attractive and reasonable for the lending institutions of this country. Many suggestions were considered. I wish at this time to thank Congressman WRIGHT PATMAN, the distinguished chairman of the House Banking and Currency Committee, for his great assistance to the special subcommittee in this matter. He certainly was influential in convincing the committee that the proposed placement and conversion fee was not a correct solution to this problem.

Under existing law where there is a State-guaranteed student loan program, lenders may not charge an interest rate which exceeds 6 percent. Where the Federal guarantee program is operative, lenders are also precluded from charging more than 6 percent, unless the Commissioner makes a special finding that a higher interest rate—up to 7 percent—is required. This latter discretionary authority has never been used. Section 8 of the bill sets the maximum interest rate for student loans guaranteed by the State programs or by the Federal Government at 7 percent. In the case that money was loaned at 7 percent, the Federal Government would pay an interest subsidy of 7 percent while the borrower is in school, and the borrower would pay 4 percent instead of 3 percent during the repayment period, providing the borrower is from a family with an adjusted income of \$15,000 or less.

Many recent events have indicated the need for this action. The cost of money has steadily increased. The Federal Reserve has recently raised the discount rate to 5½ percent, which is the rate the Federal Reserve lends money to member banks across the country. The present rate of interest which banks charge to preferred borrowers known as the prime interest rate has been raised by many banks to 6½ percent.

This week the interest rate on FHA and VA home loans was raised to 6¼ percent. In these circumstances the committee views raising of the permissible interest rate to 7 percent as necessary and desirable to the successful achievement of the purposes of this program. To insure that the purpose of raising the interest rate would not be frustrated in some States, the committee decided it was necessary to preempt certain State usury laws which would apply to student loans. Failure to do so would result in students in those States being unable to receive sufficient funds for their educational needs.

The committee feels that this is a necessary and proper exercise of Congress' power to effectuate the purposes of the Higher Education Act of 1965 and also believes that this program sufficiently affects the national pool of credit to allow the exercise of Federal authority.

Section 9 proposes the merger of the National Vocational Student Loan Insurance Act of 1965 with the student loan program of the Higher Education Act of 1965. Again this is one of those rare areas of total agreement. The testimony in the hearings was unanimous in support for it. This merger will eliminate needless duplication of paper work and provide students in vocational education with

readier access to the guaranteed loan program.

The members of the House Education and Labor Committee have become increasingly aware of the problems created by the late timing of authorization and appropriations. The education institutions, trying to implement education programs, must have adequate notice of their allocations, if the various programs are to be used effectively. Education legislation falls short of expectations because funds are not effectively used; institutions are unable to estimate accurately their own budget needs, and the total effectiveness of federally assisted programs is lost.

With the increasing flow of Federal money, the number of Federal education support programs has grown—and with this growth, the number of extension and authorization cases have also increased. In the case of both the Elementary and Secondary Education Act and the Higher Education Facilities Act, extension and appropriations in 1966 came so late that funds did not become available to the local schools until mid-November—6 months after the completion of typical school budgets.

Our colleges and universities need firm commitments under the Federal student assistance programs during the vital spring months. Since the institutions of higher education usually provide students with financial aid from many different sources of funds, it is essential that they know at the time they have to make their determinations how much money will be available from each source. The very enrollment of a great number of students depends upon the assistance they might be granted, and institutions are greatly handicapped when funds are not received until after the academic year has begun.

To alleviate this problem, this bill proposes advanced funding authority for the four student assistance programs as amended by H.R. 16729. The provisions are similar to those adopted by Congress last year under the Elementary and Secondary Education Act. In addition to providing authorizations for program planning and evaluation and requiring evaluation reports, this section of the bill authorizes appropriations for the student aid programs to be included in appropriation acts for the fiscal year preceding the fiscal year for which they would be made available. The section further provides that appropriations for any fiscal year for the student assistance programs could, in accordance with regulations, be made available for expenditure on the basis of an academic or school year differing from such fiscal year.

I wish to thank my colleagues of the House for their consideration today of H.R. 16729 and I think that they will find it worthy of their support.

Mr. AYRES. Mr. Chairman, I yield 10 minutes to the ranking member of the subcommittee, the gentleman from Minnesota [Mr. QUIE].

Mr. QUIE. Mr. Chairman, we have before us today a bill that extends some of the student-assistance programs. The purpose of the legislation is to extend

those authorizations now rather than wait for the total higher education bill. The reminder of the higher education bill can wait. I wish it did not need to, but, with the student-assistance program, the colleges and universities and area vocational schools should know as soon as possible what they can promise the students when they attend their institutions this fall.

This will happen if we can pass this authorization speedily; and, if it speedily passes in the other body, it can be a part of the regular HEW appropriation bill.

We feel that, even though some of the Members might want some changes in this bill, we ought to adopt the student-assistance programs today as they are. Our committee in just a little while, just a few weeks, I hope, will have the higher education bill up for a 5-year extension, and any changes that should be made could be made at that time, anything the Members would raise now could be brought up; we could have additional hearings on them, and consider it again at the later date.

But the most important part is that students be able to plan for the future and for the colleges and universities to plan to meet the students financial needs.

This bill provides the same advanced funding as the elementary and secondary education bill carried out last year. This will permit the Committee on Appropriations to not only make a determination for appropriations in the 1969 fiscal year, but for 1970 as well, and again give the kind of assurance to the institutions of higher learning that the money will be forthcoming in later years.

Colleges have had difficulty in the past to do forward planning, not knowing what the Congress would do, both in the authorizations and in the appropriations.

If there are going to be any drastic changes, we ought to give enough lead-time for the institutions of higher learning to make the change.

Each of the four programs is due to expire with the close of fiscal year 1968. Each one is urgently needed if the continued education of hundreds of thousands of young men and women is to be assured.

Very briefly, here is what the bill would do:

Continue the low-interest student loan program conducted under title II of the National Defense Education Act, an authorization of \$200 million for each of the fiscal years 1969 and 1970. The fiscal year 1968 authorization was \$225 million.

Continue the program of educational opportunity grants carried on under part A of title IV of the Higher Education Act, with an authorization—identical to present law—of \$70 million for each fiscal year for initial educational opportunity grants, plus such sums as are necessary to continue previously awarded grants. One modification allows a student's earnings from the institution's work-study program to be counted as matching money to meet the requirement that a grant cannot exceed one-half the total aid he receives. The second change permits the college to transfer EOG funds received by it to the

work-study program, subject, of course, to the applicable work-study program matching requirements.

Continue with modification of matching provisions the college work-study program with an authorization of \$225 million for each of the fiscal years 1969 and 1970—up from \$200 million for fiscal year 1968. The modification limits the Federal share to 80 percent for each of the fiscal years, effective with the start of fiscal 1969. Present law limits the Federal share to 80 percent for the year starting August 20, 1968, and to 75 percent for the year starting August 20, 1969. The Commissioner of Education would be permitted to provide a Federal share in excess of 80 percent in certain cases of off-campus jobs with private, nonprofit agencies, where to insist upon 20 percent matching might prevent employment of the student by the agency.

Continue with amendments the guaranteed loan program under part B of title IV of the Higher Education Act, with an authorization of an additional \$10 million to be used for additional advances to strengthen the reserve funds of State programs. The Federal advances must be matched on an equal basis by the State. The amendments include the merger of the similar program for vocational students under the National Vocational Student Loan Insurance Act of 1965; permission to the Commissioner to pay an interest subsidy of 3 percent on loans bearing interest up to 7 percent, whether guaranteed by State or private nonprofit agencies, or pursuant to the standby Federal student loan insurance program; provision that State usury laws will not be applicable to insured student loans bearing interest up to 7 percent; and adoption of Federal reinsurance of loans guaranteed by State agencies, under which 80 percent of the claims paid by that agency to a lender on default will be reimbursed by the Federal Government.

Provide authority for advanced funding of the four assistance programs to allow appropriations to be included in appropriations acts for the fiscal year preceding the fiscal year for which the appropriated funds would be made available.

Mr. Chairman, the Members will recall that, just 10 years ago, the Congress enacted the National Defense Education Act and so launched the landmark student loan program. Ten years later, it is estimated that more than 2 million students will have received loans through this program. Loans outstanding by the close of fiscal 1968 will total approximately \$1.25 billion. We expect some 422,000 students will receive loan assistance under this program in fiscal 1969.

It is encouraging to note that repayments of these loans—expected to total \$64 million in fiscal 1969, and more in fiscal 1970—will provide added funds that will be recycled into new student loans.

Each of the four programs that H.R. 16729 would extend has applicability to a somewhat different group of students because of varying eligibility standards. Those standards are as follows:

National defense student loan program:

Preference in the selection of students shall be given to students with a "superior academic background." Eligibility is limited to a student who, first, needs the loan in order to pursue his studies at the institution; second, is deemed capable, by the institution, of maintaining good standing in his course of study; third, is accepted for enrollment or is in good standing at the school; and, fourth, carries at least one-half the normal full-time academic workload.

Educational opportunity grants program: Eligibility is limited to a student who, first, is of exceptional financial need, second, shows evidence of academic or creative promise and capability of maintaining good standing in his course of study, third, is accepted for enrollment or is in good standing at the school, and in full-time attendance there as an undergraduate, and fourth, would not, but for an EOG, be able to pursue a course of study at such institution.

Work-study program: Preference in the selection of students for employment shall be given to students from low-income families. Employment shall be furnished only to a student who, first, needs the earnings from such work in order to pursue his studies at the institution, second, is deemed capable, by the institution, of maintaining good standing while so employed, third, is accepted for enrollment or is in good standing at the school and in full-time attendance there either as an undergraduate, graduate, or professional student.

Guaranteed student loan program: Benefits of this program are not to be denied any student because of his family income or lack of need if his adjusted family income at the time the loan is executed is less than \$15,000. To be insurable, the loan must be made to a student who, first, is accepted for enrollment or is in good standing, and second, carries at least one-half of the normal full-time workload at the institution.

Only in the guaranteed student loan program is financial need not considered a precondition of assistance. In the other three, the necessary finding of need ranges from exceptional, in the case of educational opportunity grants, to an unqualified need for assistance to enable the pursuit of academic studies in the case of the national defense student loan and work-study programs. Preference in the latter program goes to students from low-income families, whereas in the former, it goes to students of superior academic achievement.

Mr. Chairman, it may be that we can design better or more efficient programs to assist young men and women, particularly the needy, obtain a college education. Indeed, I will be among those Members who will seek to improve the operation and administration of these programs when the Committee on Education and Labor resumes its work on an omnibus bill for higher education. But for the immediate future—that is, fiscal years 1969 and 1970—I am convinced that the extension of these pro-

grams is of utmost significance, not only to the students who will directly benefit therefrom, but to our institutions of higher learning, who derive a substantial percentage of their operating revenues from tuition payments of these and other students.

The vocational education insured loan program is also made a part of this bill, but the vocational work study program was not a part of it, and, if we are going to have a complete and effective Federal program for students past high school, this should be a part of it.

That is why I am going to offer an amendment to include the extension of the vocational work study exactly as it is now in the law for an extension for 2 years, at the same authorization it is in fiscal 1968.

So, when the Committee on Appropriations considers the student assistance program, they can consider vocational work study at the same time.

Mr. Chairman, I think this is so well written that we need not take a great deal of time explaining and talking about it, but rather that we move quickly to the passage of the bill. I urge the House to pass the bill, H.R. 16729.

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

Mr. QUIE. I yield to my colleague, the gentleman from Iowa.

Mr. GROSS. Why is this a 2-year program?

Mr. QUIE. Why is it a 2-year program?

Mr. GROSS. Yes; is it not a 2-year program?

Mr. QUIE. It is a 2-year program in order that we can put the advance funding into operation.

If it is just authorized for 1 year, then the Committee on Appropriations would not be able to do their forward funding as they are now planning to do, as I understand it.

So, in talking to our colleagues on the Subcommittee on Appropriations, they let it be understood that they would like this to be a 2-year extension rather than just for 1 year, so that they can now make a decision as to what should be done for the fiscal year 1970 rather than to wait until next year.

Mr. GROSS. Does the gentleman not think that a program of this kind, providing for an expenditure of \$1 billion, deserves an annual review on the part of the legislative committee as well as the Appropriations Committee?

Mr. QUIE. I believe it deserves annual review, but not to endanger the program or to prevent the kind of forward planning of the institution that is necessary, and for that reason we need to be 2 years ahead all the time.

Our problem is the fact that education institutions do their planning long before the college year or the school year begins. That makes it necessary for us to have the money appropriated before that planning process, which, for instance, for this coming school year should have been in January. We just do not appropriate money that early. We have to get a year ahead in order that colleges can use that money more wisely than they have.

Mr. GROSS. If the gentleman will yield further, there is another factor that enters into this question. I would not have the vaguest idea of what is going to happen in this country in the next 8 months, 10 months, 12 months, or 15 months, by way of financial crises. I do not know when this fiscal ball of wax is going to blow apart. I doubt if the gentleman from Minnesota does. I think now, of all times, instead of projecting these multimillion- and multibillion-dollar programs into the unknown and uncertain future, we should be dealing on an annual basis.

Mr. QUIE. I would say to the gentleman from Iowa that generally I would agree with him on that point, but in relation to student assistance, there is so much uncertainty in the world today, the students find they are facing a most uncertain world that students have ever seen. At least this kind of assurance would permit them to know that, when they need the money, the college can give the assurance to them that money is going to be available.

The Appropriations Committee undoubtedly cannot make its plans for 1970 with complete detail. But they do know that at least there will be the level of student need in 1970 that there was in 1969, for which they are planning now. But just so that the institutions of higher learning know that they will be able to receive in 1970 what the Appropriations Committee now feels is a conservative need, I think the authorization should be made available to them on this 2-year basis.

Mr. PERKINS. Mr. Chairman, I yield 7 minutes to the distinguished gentleman from Indiana [Mr. BRADEMAS], who has worked diligently and consistently on this legislation for the past several years.

Mr. BRADEMAS. Mr. Chairman, I count it a great privilege to serve as a member of the Special Subcommittee on Education which unanimously approved H.R. 16729, as did our entire Committee on Education and Labor. Our subcommittee's deliberations on this bill have been extensive. There were some 25 days of hearings in the 90th Congress on legislation to expand and modify higher education programs. Much of the testimony and discussion during our hearings focused on the subject matter of the measure before us today, namely, modifications and revisions in the four major student assistance programs contained in H.R. 16729.

Mr. Chairman, at the outset I wish to pay particular tribute to the talented and hard working chairman of our subcommittee, the gentlewoman from Oregon [Mrs. GREEN], who unfortunately, because of illness, is not able to be with us today. But it is in large part because of her tenacious and dedicated work on this bill that we are able to bring it before this Committee today.

I wish also to pay tribute to the other members of the subcommittee, the gentleman from Minnesota [Mr. QUIE], on the minority side, and his colleagues, as well as the majority members of our subcommittee.

We have brought out a bill that has strong bipartisan support, a bill that we

feel provides in the coming year for the orderly administration of student aid programs and the expansion of benefits to our needy college and university students.

The necessity for the extension of these programs is well known. Every Member in this House has received hundreds of letters from prospective college students, outlining the difficulties they have experienced in finding adequate financial resources to go to college. Without this bill, the existing programs of Federal student aid will terminate on June 30, 1968. The impact of such a termination on the college-bound population, and on their parents, would be catastrophic.

Mr. Chairman, it is clear to us all that college has ceased to be the exclusive preserve of the well-to-do in our society. In President Johnson's words:

It is one of the triumphs of American democracy that college is no longer a privilege for the few.

The increased complexity of modern-day life, a thirst for knowledge on the part of young people, and a growing demand on the part of all employers for college graduates have had a profound effect upon our higher education system. College enrollments have doubled in the past decade; there are today more than 6 million students in our Nation's colleges and universities. By 1975, enrollments are expected to reach 8.6 million.

Although increasing numbers of students are seeking undergraduate and graduate education, rising costs of such education are making it increasingly difficult. Costs to the undergraduate student in public institutions averaged \$850 in 1940; by 1965, that cost had almost doubled—\$1,560. By 1980, the cost of an undergraduate education in a public institution will be even higher—an estimated \$2,400. In private institutions, the costs have risen from \$1,100 in 1940 to \$2,370 in 1965; by 1980, it is estimated that the average annual cost will be \$3,640.

During the past decade, we in Congress have voted a number of programs whereby the Federal Government has assisted students in meeting these spiraling costs. Under the National Defense Education Act of 1958 more than \$1 billion in student loans has been advanced to 1.4 million student borrowers at 1,700 institutions, with the annual average loan amounting to \$560.

H.R. 16729 would continue the National Defense Education Act loan program for 2 years, with an authorization of \$200 million for each of fiscal years 1969 and 1970. In fiscal year 1969, this authorization, plus student loan repayments and institutional contributions, will make possible an estimated \$274.6 million for loans to 422,000 borrowers attending 1,788 institutions across the country. By fiscal year 1970, funds will be available for loans to approximately 432,000 student borrowers.

A second financial assistance program extended by H.R. 16729, originally enacted as part of the Economic Opportunity Act of 1964, is the college work-study program. This program provides part-time and summer work opportunity

for students, especially those from low-income families, to enable them to pay all or part of their college expenses. Under this program, approximately 1,800 institutions provided earnings for an estimated 300,000 students. Under the college work-study program, students have been given jobs on college campuses and in career-related positions in the community. During the academic year 1965-66, approximately 35 percent of the students employed were from families with annual incomes of less than \$3,000. Clearly, this program has been successful in reaching those students who need it most.

H.R. 16729 proposes the continuation of the college work-study program, with an authorization of \$225 million for each of the fiscal years 1969 and 1970. I share the hope of the Committee on Education and Labor that this increased authorization will help many colleges and universities to put their resources at the disposal of their communities during the coming summer months.

The other two financial aid programs extended by H.R. 16729 were originally enacted in 1965, as part of the Higher Education Act. The guaranteed loan program is designed to help assure that every student accepted into an institution of higher education would be able to obtain the financial resources needed to pay for his education. This program recognizes that the rising costs of a college education have placed a severe burden on middle-income families, as well as those in lower income brackets. Banks, savings and loans associations, insurance companies, credit unions, and similar lending institutions may make loans of up to \$1,000 to \$1,500 per year. In the more than 2 years that the program has been in operation, more than 796,000 loans totaling more than \$682 million have been made by participating lenders in all 50 States, the District of Columbia, and Puerto Rico.

The volume of loans, while impressive, falls substantially below that which had been anticipated. I am sure many Members of this House have received letters similar to the ones sent to my office, letters which tell of students who want to borrow money under this program, but who have been unable to find a bank in their community willing to lend them the funds.

Part of the problem has been that the money market has changed drastically since 1965. Many banks are unable to make loans to students at the 6-percent rate specified in the law, without suffering financial loss. It was clear from the testimony received by the subcommittee and from a very careful consideration of an exhaustive study by the college entrance examination board that revisions had to be made in the program to provide a reasonable return to local lenders. A variety of alternative ways of increasing the yield on student loans was considered by the subcommittee. Chairman PATMAN of the Banking and Currency Committee was most helpful to us during these considerations. It was felt the subcommittee concluded and has proposed in H.R. 16729, that an increase in the ceilings on interest rates applicable to student loans has become necessary.

Under existing law, the interest rate is set at 6 percent. It is important to note that the bill does not set an interest rate on student loans; it provides that the interest rate may not exceed 7 percent. It is my hope, of course, that local lenders will, to the maximum extent practicable, charge interest rates which are less than the statutory ceiling proposed by H.R. 16729. The Commissioner of Education would continue to pay the entire amount of interest accruing on a student's loan while that student was in school; on graduation, the student would pay 4 percent, and the Commissioner would continue to subsidize the interest charged at the rate of 3 percent.

Several States have had difficulty establishing viable State agencies to guarantee loans under this program. For this reason, H.R. 16729 provides an additional authorization of \$10 million, to be used for advances to strengthen the reserve funds of State programs and to be matched equally with State funds. In order to promote the continuation of existing State guarantee agencies and to encourage the development of adequate State programs where none now exist, the bill also proposes that the Higher Education Act be amended to provide for what has come to be called Federal "reinsurance" of loans guaranteed by State agencies. Under this provision, the Commissioner of Education would be authorized to reimburse an agency for 80 percent of claims paid by that agency to the lender if a loan went into default. As the agency would be responsible only for payment of 20 cents on the dollar, this would have the effect of multiplying the guarantee capacity in the State's reserve fund by a factor of 4.

I will not go into any detail concerning the other changes in guaranteed loan programs contained in H.R. 16729. I fully support the merger of the National Vocational Student Loan Insurance Act into the Higher Education Act.

Finally, the legislation proposes the continuation of the educational opportunity grant program. This program, enacted in 1965, is designed to make a college education available to high school graduates of exceptional, financial need—students who, without the grants, would be unable to attend any institution of higher education. This grant can be no more than half of the financial aid supplied by the college from its own resources. It must be matched by institutional scholarship funds, employment, or NDEA loan funds. This year it is estimated that 226,800 students have received grants, 135,200 for their initial year and 91,600 for their first renewal year. About 1,600 institutions are currently participating in the program.

Based on the testimony presented to the subcommittee, I am convinced that the educational opportunity grant program is being utilized by our colleges and universities as an effective instrument to motivate and encourage exceptionally needy students to pursue a college education. I am convinced that the program has only one major deficiency—it is not large enough as yet to fully meet the needs.

The proposed authorization is a realistic proposal, I believe, only when viewed in terms of the current tightening in the

Federal situation. It is not a realistic proposal when viewed in terms of what must be done in order to assure that no competent student is denied a higher educational opportunity. I base this observation on personal discussion with college administrators and on testimony received by the subcommittee.

Mr. Chairman, I have spent just a few moments in describing what appears to me to be the inadequacies of our effort to motivate the disadvantaged and exceptionally financially needy students. I do so in part because this issue is related somewhat to one of the provisions in H.R. 16729. Under the provision, institutions of higher education are permitted great flexibility with respect to educational opportunity grant funds. Under it they may transfer any or all of their educational opportunity grant money to the college work-study program. I believe the committee report places this provision in proper context by indicating that a transfer should only be made when an individual institution feels that it can better serve the needs of low-income students better by a heavier investment in the college work-study program. I wish to make abundantly clear my view that the grant program is presently not meeting the need to which it is directed and my hope that institutions of higher education will utilize this flexible provision only in individual situations when it is abundantly clear that a transfer of funds is necessary to serve more adequately the requirements of exceptional financially needy students. Mr. Chairman, as has been said many times today, this legislation was reported from subcommittee unanimously and from the full committee unanimously. I urge the House to accord similar treatment to this legislation. Thank you.

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

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

Mr. PEPPER. Mr. Chairman, I congratulate and commend warmly the able chairman and the members of the Education and Labor Committee for what they have done to provide assistance to the young men and women trying to get college and graduate school education.

But I ask the distinguished gentleman from Indiana, is it not a fact, with what we have done and what we propose to do in this legislation, that still there is a shortage of funds to enable all the needy boys and girls of this country, who have the competence and character to do so, to go to college and to get an appropriate education?

Mr. BRADEMAs. Mr. Chairman, I do not think there is any question about that. I will reply to my friend from Florida. I sit on the Advisory Council of the College of Liberal Arts at Notre Dame, which is in my district. We had a meeting last Saturday in Indiana. A member of that board, a distinguished vice president of the National Broadcasting Corp., asked the question:

If a needy student, a talented student, who did not have the money but had the ability to do a good job at the University of Notre Dame, is there any doubt that he would be able to get the funds to go to college?

The dean of the college said:

Yes, there is, for we do not have the money.

So I agree fully with what the gentleman from Florida has just said.

Mr. AYRES. Mr. Chairman, I yield 4 minutes to the gentleman from New York [Mr. REID].

Mr. REID of New York. Mr. Chairman, I rise in support of H.R. 16729, the extension of higher education student assistance programs.

First I wish to pay very real compliments and respects to the chairman of the committee, the gentleman from Kentucky [Mr. PERKINS], and to the ranking minority member, the gentleman from Ohio [Mr. AYRES], and also, of course, to the principal members of the subcommittee, the gentlewoman from Oregon [Mrs. GREEN], the gentleman from Minnesota [Mr. QUIE], the gentleman from Illinois [Mr. ERLBORN] and the gentleman from Indiana [Mr. BRADEMANS].

The 2-year extensions and specific authorizations made in this bill for the student loan program under title II of the National Defense Education Act, the work-study program, the educational opportunity grants, and the guaranteed loan program of the Higher Education Act of 1965 are, in my view, the bare minimum of what must be done for higher education.

The rising costs of college have ceased to be a subject of concern only to those parents and students paying the bills. They are a matter of vital importance to all Americans who recognize the value of postsecondary education in order to compete in modern America. Perhaps ways will be found to reduce these costs through the sharing of facilities and other methods, but the essential need is to provide assistance to each qualified American, so that he or she can attend the college of his or her choice, regardless of financial means.

The inclusion of vocational students under the Higher Education Act's guaranteed loan program will make available to them the broader terms of this assistance. In total, the variety of aids available under these four programs should provide a package of financial assistance that can be adjusted to the needs of the individual student.

Unfortunately, even this range of programs does not meet the total need.

There are some 2.5 million to 3 million high school graduates each June, and yet on the basis of the 1969 projections, only 1,172,000 students—less than one-half—will receive NDEA or guaranteed loans.

There is no question but that many qualified high school graduates do not go on to postsecondary education because of a lack of financial means. But, at the same time, many lack the qualifications and motivation. To this end, it is important that our financial assistance programs be structured at two levels: First, to provide the special assistance that disadvantaged students require, including first, broadening the OEO upward bound program to cover 600,000 poverty-area students who need assistance. Incidentally, Mr. Chairman, of the 23,000 covered in 1967 under this program, 52 percent of whom are Negro, some 83 percent went on to college; second, provision of Federal funds for 1-year college preparatory education programs for underprivileged youth; and third, cancellation of Federal education-loan repayment requirements for those willing to work in poverty areas. This is in keeping with the statement of the Riot Commission's recommendation which I quote:

By enactment of the Higher Education Act of 1965, the Congress committed this nation to the goal of equal opportunity for higher education for all Americans, regardless of race or economic circumstances. While progress has been made, this goal, the key to virtually all managerial and professional jobs, remains for the disadvantaged student an unfulfilled promise.

Second, Mr. Chairman, scholarship and loan programs are still not adequately directed at the middle-income family earning over \$15,000, with several children in college. Many families in this range started putting money away for their children's education years ago, and now find that current costs far exceed their once adequate savings for this purpose.

The increase in the permissible interest rate under the guaranteed loan program from 6 to 7 percent will, hopefully, encourage banks to participate in this program to a greater extent than they are presently doing, although it must be remembered that this makes education more expensive to the students. In addition, the committee amendment permitting a college to transfer a portion of its educational

opportunity grant funds to its work-study program, on a matching basis, should provide greater flexibility in the latter program.

Nevertheless, a broader means of relief must be found for these families and I hope that the Congress will study more far-reaching proposals before these extensions of authority expire in 1970.

Finally, Mr. Chairman, this bill is only a portion of the entire higher education amendments to be acted upon by the Congress this year. It has been brought to the floor before the remainder of the bill in order that the Appropriations Committee may have the necessary authority to act on relevant appropriations bills as soon as possible. Colleges must know well before the end of the preceding academic year the Federal student assistance funds they can count on in order to plan scholarship allotments. Students' own plans are also based to a great degree on the availability of financial assistance. The educational community cannot come to a standstill while the Congress engages in its quaint parliamentary niceties. Protracted delays in acting vitiate academic planning, as well as the substantive programs directly affecting the student. In an effort to deal with this problem, the bill before us authorizes advance funding: appropriations for the student aid programs may be included in appropriation acts for the fiscal year preceding the one for which they would be made available. Initially this will require two separate appropriations—one for the current fiscal year and one for the succeeding fiscal year.

I would also hope, Mr. Chairman, that the Congress will enact appropriations at the levels authorized in this bill. Our record in this endeavor has not been consistently good—while more than 90 percent of the NDEA loan funds were appropriated in the current fiscal year, only 5 percent of the work-study funds were actually made available.

In short, not only is it essential that the Congress enact this bill, it is of paramount importance that it do so now. The future of our children and of our Nation and its leadership demands no less.

I include in the RECORD, Mr. Chairman, a table comparing present authorizations and appropriations and numbers of students assisted with those requested in this legislation:

		Previous record		Proposed authorization		Fiscal year 1969 request	Number of students to be served by new bill
		Dollars	Students served	1969	1970		
NDEA title II student loans.....	Authorized, 190,000,000, 1967; 195,000,000, 1968.	2,000,000 since 1958.....		200,000,000	200,000,000	190,000,000	Fiscal year 1969, \$274,900,000 will be available to serve 422,000 students; fiscal year 1970, \$291,800,000 will be available to serve 432,000 students.
Higher Education Act IV C, work-study.	Authorized, 165,000,000, 1967; 195,000,000, 1968.	Appropriated, 1965, \$55.71 mil., 115,000 students; 1966, \$99.12 mil., 275,000 students; 1967, \$134.1 mil., 300,000 students.		225,000,000	225,000,000	145,500,000	435,000 each year.
Higher Education Act IV A, educational opportunity grants.	Authorized, 70,000,000, 1967; 70,000,000, 1968.	123,000, 1966; 226,800, 1967; 276,100, 1968.		70,000,000	70,000,000	149,600,000	425,000 in 1969-70 academic year.
Higher Education Act IV B, guaranteed loans.	1967, \$248,494,000, 330,088 students; estimated total \$476,000,000, 560,000 students; 1969, \$641,250,000; 750,000 students (estimated).			\$10,000,000 for additional advance to States; new loans in 1969 and 1970 not to exceed \$1,400,000,000 per year.			\$641,250,000; 750,000 students.

¹Total that will be available.

The CHAIRMAN. The time of the gentleman from New York has expired.

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

Mr. REID of New York. I am happy to yield to the gentleman from New York.

Mr. PIRNIE. Mr. Chairman, 10 years ago the Congress developed and passed the National Defense Education Act—a law which unlocked the college gates for thousands to whom a higher education had been only a dream. Since that time the funds provided under this legislation have enabled nearly 2 million young Americans who, without some outside financial assistance, might have been forced to terminate their education with high school, to obtain college training.

As we look at the record of this fine program, we can take pride in the fact that NDEA was merely the beginning of our continuing commitment to higher education. In subsequent years, other bills have been approved to expand educational opportunities for our youth. The college work-study program, the educational opportunity grants, the guaranteed loan program, and the national student vocational loan program have all been sound investments in our country's future. They have provided the means for those who had the desire and the ability.

Since 1958 the number of NDEA participating institutions has doubled, from 1,100 to 2,200, and the dollar amount of funds provided has increased from \$59 million to over \$400 million in fiscal year 1968. The number of students has jumped sevenfold over the 115,000 borrowers of NDEA funds that first year.

While this record is outstanding, our task must be to provide the same opportunity to needy students in future years. This bill would extend the National Defense Education Act for 2 years, through 1970, and authorize \$200 million for each year. These funds will make it possible for 422,000 students to borrow \$274,600,000 in fiscal year 1969.

In my view, the approach taken by this legislation is of utmost importance. It doesn't provide cost-free education to anyone, but rather gives timely credit. I think this is far more preferable than the grant approach, which demands little or nothing in return. NDEA places the ultimate responsibility of payment upon the recipient, causing him to realize the value of his education. Further, these payments constitute a revolving fund permitting help for succeeding generations of students.

Education is and must continue to be one of the Nation's priority items. Accordingly, I believe this program should receive support consistent with its importance. Despite our mounting budget deficit, our expensive commitments overseas, and our need to reduce spending, we cannot shortchange the youth of this country who desire an education. Every American should have the opportunity to obtain as much education as his talents allow. To deny this is to forsake America's future.

Mr. PERKINS. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Texas [Mr. PATMAN].

STUDENT LOAN PROGRAM—INTEREST RATES TOO HIGH—SIZE OF NATIONAL DEBT SMALLER THAN REPRESENTED

Mr. PATMAN. Mr. Chairman, I congratulate the members of the Committee on Education and Labor and particularly the members of the Special Subcommittee on Education for the diligence and hard work they devoted to bringing this legislation to the floor of the House.

I cannot say that I feel it is a perfect bill; the economic situation of this country alone would prevent its being perfect. But it is certainly a most acceptable bill and a far better bill than the original version considered by the committee.

As Members know, the original bill would have authorized millions of dollars in subsidy payments to banks for making guaranteed loans to students. The original also would have provided retroactive payments of such subsidies amounting to almost \$20 million.

The subsidies and the retroactive feature were the brainchildren, as you might expect, of the American Bankers Association. Dr. Charles Walker, of the American Bankers Association, actually had told the banks of this country they should make student loans because the Congress would approve subsidy payments retroactive to July 1, 1967.

In short, Dr. Walker had implied that he was carrying the Congress around in his back pocket. I am happy and proud to say that the members of the Committee on Education and Labor were neither impressed by Dr. Walker's proposals nor coerced by his tactics.

I want to thank the members of the full committee, its distinguished chairman, the gentleman from Kentucky [Mr. PERKINS], the members of the special subcommittee and its outstanding chairman, the gentlewoman from Oregon [Mrs. GREEN], for the consideration they gave this bill. The members were most attentive to my argument that the subsidy feature should be dropped. I hope that in some small way my argument was responsible for the committee's removal of the bankers' bonus payments.

But I would be less than honest if I were to say I am happy with two major features of this bill. The first increases the interest rate charged to the students and to the Government from 6 to 7 percent. The second stipulates that State usury laws shall not apply to the guaranteed student loans.

If the needs of our students, possibly the greatest resources of this country, were not at stake, I would oppose the increase in the interest rate. But since this Congress and the country must take all action necessary to provide the best possible education for every American child, I do not intend to oppose the increase nor the legislation.

I take this position because I feel that members of the Education and Labor Committee truly have done their best to make certain that this bill helps the students and does not line the pockets of the bankers who make the guaranteed loans.

As the student loan program moves along, I hope the Education and Labor Committee will keep watch to see that

interest rates on these loans do not exceed a reasonable return to the lenders. I hope the 7-percent rate will be returned to the 6-percent level or lower as quickly as possible.

In addition, Mr. Chairman, I trust the committee will continue to search for other sources of financing so that the cost of a college education to the student may be kept as low as possible.

At this point, perhaps I could suggest two possible sources. There are increasing amounts of money coming into private pension plans and trust funds. These funds could be tapped as a source for direct loans to students. To attract these funds, a Government earning asset—with a guaranteed return of, say 6 percent—could be issued.

I also have in mind another source. As Members know, the Federal Reserve Open Market Committee is holding in its portfolio \$50 billion worth of Government bonds. These holdings overstate the national debt. They contribute greatly to the financial stress to which this country's economy is being subjected and to the shortage of funds available for student loans.

These holdings represent nothing more than loose practice by the Federal Reserve to avoid the congressional appropriations process. The Congress can get at this loose practice and stop it. The Congress simply can pass a bill to cancel the \$50 billion in bonds for which the taxpayers are paying twice.

Such action would help not only the students who need financing for their college educations. It also would help the entire economy. I recommend this course of action to my colleagues in the House.

CAUSE OF OUR PROBLEMS

What I want to say relates to the question of the size of our national debt. Our national debt is \$50 billion larger than in fact it should be, and if the true facts were known and considered, it would be \$50 billion less. Let me make this just as simple and plain as it possibly can be made. I believe it is very, very simple.

If you bought a house and it has a mortgage of \$10,000 on it which is due in 20 years with interest payable every year and you wanted to pay that off, you would ask your broker to take your check, find out who owns the mortgage and pay it off so that you would not have that indebtedness against your home. Now, assume the broker finds the person holding the mortgage and finds out how much it costs and gives your check for it. Your check is cashed and the money is taken out of the bank and given to this person.

However, instead of the broker canceling the debt, he has it transferred to himself. Every year when the interest would come due, he would come to you and say, "I want the interest." Well, you would not like that at all. It would not be fair, right, or just.

That is exactly what the Federal Reserve is doing right now. People who have these long-term bonds that are drawing rates of interest would rather

have the cash. Through the Federal Reserve they tender these bonds, let us say \$1 million of them, drawing so much interest. The Federal Reserve, through the Bureau of Engraving and Printing, gets \$1 million worth of currency that says this is a debt of the United States and it is an obligation of the United States. The Federal Reserve takes one form of Government obligation, that is, currency, and gives it in return for this interest-bearing obligation. Would you not consider that as paying off that much of the Government's debt? Of course it would be. There is no question about that. But instead of that they take this obligation, this currency, and put it out as one Government obligation and then do not cancel the \$50 billion they have now that this money was used to pay for or to exchange for. That doubles the national debt to that extent. In other words, we have \$100 billion of Government obligations outstanding where there ought to be \$50 billion.

Nobody can dispute that. It is a fact. Over the years I have been calling this to the attention of the Federal Reserve, and Mr. Martin not only does not deny it but continues to do it. In the course of the discussion and in response to a question which I asked him he admitted that the Federal debt has already been paid once in these high interest rates, but I suggest that it has been paid twice and in some cases our debt has been paid twice and three times. No one can deny that. The Federal Reserve cannot deny it. They have been doing it, and they do it this way: After they buy these bonds in the manner in which I described the operation, then they feel they ought to cut down the money supply in existence and sell these bonds back into the market and they get back into the market, and when those banks need more reserve, they buy the bonds back. In other words, the Bureau of Engraving and Printing is paying for it and the Government is paying the debt sometimes once, sometimes twice, or sometimes three times.

Mr. Chairman, how can the Congress of the United States justify that type of action? We cannot. The truth is that the Congress is not doing its job.

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

Mr. PERKINS. Mr. Chairman, I yield the gentleman 1 additional minute. Will the gentleman yield to me?

The CHAIRMAN. The gentleman from Texas is recognized for 1 additional minute.

Mr. PERKINS. First, let me state to the gentleman from Texas that the committee was very reluctant to increase the ceiling on interest rates. But at the same time we realized that lending institutions were not receiving a reasonable yield on their loans. This resulted in many—too many—students being denied a loan. It was the thinking of the committee that this was the best way to approach the problem instead of providing for placement and conversion fees. The gentleman from Texas advised us on this issue and we took his advice. We did not authorize any fees for the processing of these loans. I want to state to the gentleman from Texas that the committee will continue to watch very care-

fully this program, with the hope that we can reduce the interest rate ceiling at the earliest possible date.

Mr. PATMAN. I will say to the gentleman from Kentucky that the first words I uttered were to commend the committee for doing as well as it did, and I now reiterate that statement.

The CHAIRMAN. The time of the gentleman from Texas has again expired. Mr. PERKINS. Mr. Chairman, I yield the gentleman 30 additional seconds.

Mr. PATMAN. Well, anyway, if we were not required to pay our national debt more than once, we would not be worrying about interest rates here. We would not be worrying about the budget. We would have plenty of money. Therefore, I ask each Member of this body to think about this, because I say that the Congress is to blame. If I were to have to name a particular Member who has contributed toward this situation, I could not say which Member, because insofar as I know every Member is entitled to proceed and to vote in his own way. I do not question the motives of any Member. But I say that the Congress is not doing its job.

Mr. AYRES. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Illinois [Mr. ERLENBORN].

Mr. ERLENBORN. I thank the gentleman for yielding this time to me.

Mr. Chairman, the Special Subcommittee on Education has before it the Higher Education Act. We have held considerable hearings on this act. During the course of those hearings it became apparent that the act incorporated substantive changes and which cannot be made through the legislative process in time to extend the four student-assistance programs contained in this bill now before us, H.R. 16729.

For that reason this bill was introduced to extend these student-assistance programs prior to their expiration June 30 of this year.

This bill before us was made as non-controversial as possible. Substantive changes in the student-aid programs will be left in the main to the later enactment of the comprehensive bill of the Higher Education Act.

Timely extension of these four programs are important for the students and the student loan officers of the colleges and universities. As a matter of fact, we are already late in this extension, because the students who plan to go to college in the fall of this year now should know—and should have known some time before this—what aids would be available to them.

This act does have one substantive feature, and that is the 2-year extension of these programs is coupled with the authority for advance funding. I believe this is important.

In view of the questions by the gentleman from Iowa, I believe it should be made clear from the standpoint of utilizing the funds available under this act that forward funding is an important feature. We have seen in the Elementary and Secondary Education Act the waste of Federal funds going into education by reason of the fact that the funding has been too late. The funds were not made available to the schools in time for them

to do the kind of planning they should so they could utilize the funds in a proper manner.

I believe that it is important that we get this concept of forward funding, which is now in the ESEA, into the higher education legislation so that the schools, universities, will know in advance of their planning period what funds will be available, so that they may make proper provision to utilize these Federal funds and get a dollar's worth from a dollar spent.

Without this advanced funding, without timely appropriation and authorization, we will continue to have wasteful practices forced upon the schools by reason of lack of proper planning at the Federal level.

Mr. Chairman, I am happy to support the bill H.R. 16729, and I hope that it will receive unanimous approval of the Members.

Mr. AYRES. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. RUMSFELD].

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

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

Mr. ANNUNZIO. Mr. Chairman, I rise today to speak in favor of H.R. 16729, the extension of programs providing financial assistance to students at institutions of higher education.

As you know, Mr. Chairman, the bill currently before the House contains a variety of proposed amendments to a number of bills that touch on all aspects of financial aid to college and university students. But, at the outset, we should not lose sight of the fact that, as varied as these programs are, their final purposes are identical: to assure the maximum number of students at institutions of higher education in this country the opportunity to pursue their educational careers with a minimum of financial worry. The degree of success that these programs have enjoyed in this endeavor is much in evidence.

Under title II of the National Defense Education Act of 1958, a total of 394,359 students in fiscal year 1967 were provided with \$218,911,602 in low-cost loans, loans that often spelled the difference between the successful completion of a college career and the unhappiness attendant on withdrawal for financial reasons. As of June 30, 1968, 1,738 institutions will have extended loan assistance to 2 million students with an outstanding loan volume of \$1¼ billion.

Mr. Chairman, we are requesting that this fine program be provided with \$200 million each for the fiscal year ending June 30, 1969 and the next fiscal year.

In 1965, this Congress passed a landmark law, the Higher Education Act. Among the host of important programs initiated by this act were a number devoted to financial assistance for college and university students under title IV. Congress authorized the appropriation of \$70 million in fiscal year 1966 for educational opportunity grants to aid needy prospective college students. From an institution of higher education participating in the economic opportunity grants program, a student of exceptional financial need may receive for his college

expenses a grant of from \$200 to \$800. If his financial need continues, he may receive renewal grants for a maximum of 3 additional years, allowing him to complete his post-secondary education. If he places in the upper one-half of his college class, he is eligible to receive an additional award of \$200 the following year; this supplementary grant does not have to be matched by the institution.

Mr. Chairman, we are requesting the extension of this program for an additional 2 years.

Under part B of title IV, the Higher Education Act of 1965 also provided for a guaranteed student loan program. Again, this program was designed to help assure that every student accepted into an institution of higher learning would be able to obtain the financial resources needed to pay for his education. Federal advances of "seed money" were forwarded to State loan agencies to establish or strengthen their research funds. As you know, Mr. Chairman, the act further provided that if a State would not be able to establish such a program during any year, the Office of Education could make advances to a nonprofit private agency to do the job. In the event that neither approach would provide students reasonable access for loans, the Congress authorized a standby program of Federal insurance.

In fiscal year 1967, the program's first full year of operation, 330,088 loans were made totaling \$248,494,000. For fiscal year 1969, it is hoped to provide 9.7 percent of the estimated opening fall degree credit enrollment in colleges with about 750,000 of the aforementioned loans totaling \$641,250,000.

I am strongly opposed to raising the interest rate ceiling on student loans and had hoped we could hold the line against an increase above the present 6-percent ceiling. However, inasmuch as the bill contains many important and desirable provisions, I cannot oppose its passage simply on the basis of the higher rate ceiling alone. But I will continue to work to reduce that rate even after this unfortunate increase is enacted, should that occur.

The Higher Education Act Amendments seek to strengthen the guaranteed loan program by providing for Federal reinsurance of loans guaranteed by the States, by authorizing additional funds for advances to the reserve funds of State programs, and by merging the National Vocational Student Loan Insurance Act into the Higher Education Act.

Finally, Mr. Chairman, H.R. 16729 extends the scope of the college work-study program under title I of the Economic Opportunity Act of 1964. The unique feature of the work-study program is that, while it helps the student earn funds necessary to finance his education, it also provides the college and the community with the valuable services of well-trained young men and women.

The work-study program boasts tremendous variety in the nature of the projects in which students are involved. In Arkansas, students from the State's colleges offer assistance to rural communities in the areas of soil conservation and modern farming methods. In Chi-

cago, former gang leaders attend the Chicago Central YMCA College and work part time in the ghetto to help to "keep the lid on." In North Carolina, the department of welfare employs 2,400 young men and women from all State colleges who work in their home districts on various welfare projects, while in New York City 2,500 students from 90 colleges work with the underprivileged of that city's ghetto in the attempt to improve reading and mathematics skills in the urban corps program. And in Montana, students from each of that State's colleges and universities work to improve the living conditions and the level of literacy among the Indians.

Each of these programs, Mr. Chairman—national defense loans, educational opportunity grants, guaranteed loans, and the college work-study plan—must be maintained and expanded if we are to continue to provide America with the trained personnel that her Government and industry so sorely need. But more important, Mr. Chairman, it is the duty of this Nation to make sure that we allow as many young men and women to aspire, to the best of their abilities, to take their places in that select but ever-widening circle of educated human beings.

Mr. RUMSFELD. I thank the gentleman from Ohio for yielding me this time. Mr. Chairman, last weekend an agreement was reached between 13 faculty and administration officials of Northwestern University, in Evanston, Ill., and 10 students representing two or more student organizations. The agreement resulted from a demonstration and the seizure of an administration building on the campus at Northwestern University.

The pattern we saw at Northwestern is certainly not terribly dissimilar from other campus demonstrations and protests which are taking place not only across this land, but in other countries.

I personally am concerned about the situation, and particularly so since from a study of the text of the agreement I believe there is some question as to whether or not the agreement which was entered into between the students and the faculty might violate, if implemented, some of the provisions of the 1964 and possibly the 1968 Civil Rights Acts.

Mr. Chairman, I raise this subject today during debate on the Higher Education Act because Northwestern University, although a private university, receives substantial funds from the Federal Government, just as do most private educational institutions.

I refer to grants and programs under the Department of Health, Education, and Welfare, as well as the Department of Defense, the National Science Foundation, NASA, and other Government agencies.

It is useful to raise the subject here in a discussion of this bill on higher education because of the possibility that by discussing it and developing a dialog on the subject, we might be able at least to begin to set the outer limits within which such discussions and negotiations can take place.

I would like to ask the gentleman from

Maryland, a member of the House Judiciary Committee, who has been one of the architects of many of our civil rights laws, what his thoughts are on two or three statements from the agreement. For example, it states:

Starting with the fall of 1968, the university will reserve separate sections of existing living units of the university in which black students, upon their individual requests will be housed.

Moreover, the university will move toward providing separate housing units for black male and female students, and will inform the black students of progress in this direction during the spring quarter of 1969.

It further states:

The university realizes the special needs for activity space for black students. By September 1968 the university will provide a room on campus in an attempt to meet some of these needs.

I would like to ask the gentleman from Maryland [Mr. MATHIAS] if he believes there is a possibility we might be running into difficulties with various Federal civil rights statutes by an agreement such as this?

Mr. MATHIAS of Maryland. The gentleman from Illinois has done a great service in bringing this kind of a situation to the attention of the Members of the House.

Certainly, if the facts are as they have been outlined by the gentleman from Illinois, they direct our attention to the provisions of the Civil Rights Act of 1964.

The gentleman has said that Northwestern University is a private institution, and that immediately does raise the question of jurisdiction and as to whether the statutory definition of "public institution" would apply to Northwestern University. This is one of the first questions a university, I think, would have to study in order to determine where it stands.

Second, of course, the existence of the large numbers of grants which the gentleman has described which are paid every year from the Federal Treasury to Northwestern creates special conditions. This relates to the provisions of title VI of the act of 1964.

The existence of various categorical grants to Northwestern will compel careful study by the U.S. Commissioner of Education in determining whether these grants either should or could be continued in the future in the light of the character of the agreement that he has described.

Further, there is the question relating to title IV of the act of 1964, whether or not anyone will come forward claiming to be aggrieved. It is not a self-executing title, at least as far as that portion is concerned.

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

Mr. RUMSFELD. I yield to the gentleman.

Mr. QUIE. It is my view that with the amount of Federal money going to Northwestern University, they would be under the Civil Rights Act of 1964, whether they are private or not.

Mr. RUMSFELD. The gentleman is referring to title VI?

Mr. QUIE. Yes. It applies to anyone who receives Federal funds.

Mr. RUMSFELD. That is exactly what brought about my concern. As I recall, title VI provides that since taxes are collected without regard to color or race, Federal programs funded with those dollars must be administered in a non-discriminatory manner. That is what concerned me.

Mr. MATHIAS of Maryland. I agree with the gentleman from Minnesota that this immediately becomes the problem of the Commissioner of Education to give immediate attention to, and that is irrespective of the fact whether anybody claims under title VI that he is aggrieved. And let me say, if I may, I think these agreements certainly go contrary to the spirit of this act, because it was intended to promote unity, national unity and harmony.

Mr. RUMSFELD. There is no question in my mind but that the officials of Northwestern University certainly have no desire to violate Federal law. I raise this question because I am concerned about the possibility that if this agreement is implemented it might be in conflict with the civil rights law.

Mr. Chairman, I have received permission to insert in the RECORD, at the conclusion of my remarks, the full text of this agreement and several editorial comments on the subject.

The agreement resulted from the seizure of the Northwestern University business office and reportedly a threat to destroy the business office computer. After reaching agreement, the protesting students peacefully left the occupied areas.

I have the highest respect for Dr. Roscoe Miller, president of Northwestern University, and for this outstanding institution of higher learning, which is located in Evanston, Ill., in the 13th Congressional District. Further, I can fully appreciate the difficulties faced by the university in this situation. I bring up this matter today because it appears that the Northwestern protest pattern may well become a model for protest on other campuses, and it would seem that there are some lessons which could be learned through a dialog on the subject.

While the agreement appears to have been more advisory than substantive, there are some specific points to be noted.

The agreement stated:

Northwestern University recognizes that throughout its history it has been a university of the white establishment. Its members have also had in common with the white community in America, in greater or lesser degree, the racist attitudes that have prevailed historically in this society and which continue to constitute the most important social problem of our time. This university, with other institutions, must share responsibility for the continuance over many past years of these racist attitudes.

It states further:

The events of this week, which have given us new and broader insights, have led us to a reappraisal of the attitudes with which we confront these problems.

It is to be assumed that the "events of this week" refers to the unlawful occupation of the university's business facilities.

In adding the administration agreed, among other things, to provide separate

living units for Negro students who wish to live apart, and meeting facilities exclusively for Negro students.

It would appear from the text of the Northwestern agreement that the general goals of the students were: First, to achieve free access of blacks to all activities of the university. Certainly this is a legitimate goal, but one which must be understood to specifically mean that whites would not have access to separate facilities or separate activities, and second, to achieve the right for blacks to have separate facilities and separate activities. Obviously, this apparent contradiction is part of the difficulty and complexity of the problem. Certainly the terms of this agreement and its prospective implementation require detailed analysis.

Our society's aim is to attempt to strive to see that life is fulfilled and made more humane. To progress toward this end, there must be a structure. Our goal is to work to develop a system which is best able to achieve that aim. That we have not arrived at perfection is obvious. There is no question but that Negroes have, over a period of time, not had the opportunities that have been available to whites and that today substantial numbers of Negroes do not have an equal stake in our society. However, that we have not achieved perfection is not cause to reject that system which has enabled us to move closer to perfection than any system ever devised. But because this system is not perfect, we must continue to strive to strengthen and improve it in a society of continuing change.

Our's is a society based on law. In a free system each has the right to express views, to protest, list grievances, demonstrate, and to use political and economic power to its fullest. But what is the inevitable result of coercion by lawlessness?

System and procedures are the essence of a free society. Anarchy is not total freedom—rather, it denies freedom to all. Agreements made in the face of disobedience to law may well prove to be not solutions but, rather, preludes to escalating lawlessness. Let us remember that the law society is both the pinnacle of man's struggle to date and the foundation for his future hope. Our imperfections do not justify tearing down the structures which have given us our progress. Order is the sine qua non of the constitutional system.

The Declaration of Independence is a recognition of the natural law, right of men to revolt against an "unjust" regime.

Some may today conclude that our system is, in fact, unjust. This I reject. Clearly our system contains a variety of methods for change and reform, for improvement. These provide the framework within which those wronged can obtain redress, but to destroy the system itself would have the inevitable result of furthering not justice but injustice.

What are the avenues for reform? Protest, demonstrations, moral exhortation through the media, the use of political power and of economic power. It is hard work. These are not easy. But lawlessness is no true shortcut. And, these devices can be successful. It is my

view, for example, that the fact that a Negro can today ride in the front of a bus was not brought about by a violation of the city ordinance against it, but rather that the boycott of the bus system and the exercise of economic power brought about this important and needed reform.

Protest, hate, and violence are building up. One act tends to cause another. All sides during this period must attempt to moderate their demands. Today, Americans of various persuasions are raging at their institutions, and while these institutions are admittedly far from perfect, upon those who would challenge, upset, or destroy what exists falls the clear responsibility to recommend something better.

What we see in events that have transpired over the past few years is an escalation of dissent from peaceful non-violent protest to lawlessness. Peaceful petition is being changed to forceful demand. Representative government is being changed to forceful demand. Representative government is being replaced or supplemented by coercion.

The root causes for this escalation are many. They are far too complex to be dealt with here. Many are probably not yet known. Certainly, I do not pretend to know them all. But, it appears to me that the events of today have sprung forth in part from the early civil rights protests in the late 1950's and early 1960's.

There black people—first in the South and, then, in the North and West—came to realize that, in a society of growing affluence and a world of growing aspirations and self-determination, they were being left by the side of the road.

Black nations were gaining independence and, yet, they could not vote for the local sheriff or mayor. Huge shipments of surplus food were being sent abroad while they, in many cases, were going hungry. The Nation's wealth was constantly rising and, yet, they were without jobs. Increased stresses on education were forcing ever-widening gaps between the haves and the have-nots. Model suburbs were pushing out for miles while slums festered and expanded in central nonmodel cities. Modern thoroughways were constructed mile upon mile through city blocks and open country while public transportation grew scarcer, more expensive and more square wheeled. Television boomed forth the attractions and benefits of an opulent and material fairland while the hard realities of empty pockets and high credit meant that little of value could be acquired.

By itself, perhaps, this realization would not have led to much change if it had not been electrified by the dynamics of youth.

White youths and black youths born during the war years when parental discipline was partially lacking. White youths and black youths born or brought up in an atmosphere torn asunder by unfamiliar surroundings—having migrated to urban centers from rural communities. Youths teed on a philosophy of permissiveness and self-expression. White youths and black youths encouraged, through improved education and expanded communication, to seek

and want improved values, a better life, a commitment to service; yet, confronted by false affluence, irrelevance, phony values, inequality, and lack of opportunity.

These youths—charged with high idealism, confronted with the upheaval of nations abroad and technological revolution at home, and nursed on a sense of permissiveness and self-expression—seized upon the black man's unequal status and sufferings—frequently joining dedicated and concerned members of more mature age—to find a fulfillment and sense of purpose theretofore lacking in their own lives.

The weapons they chose to launch this revolution were peaceful protest, non-violent demonstrations, petitions, communications, and political and economic action.

At the time, these were the weapons that could be employed realistically. The forces to be moved or overcome were too entrenched or, at least, seemed to be. The goals to be reached too distant. The nature of the movement too new. The ranks of the participants too few.

These weapons proved effective, however. Successes were realized. Civil rights legislation was enacted which only a few years previously looked impossible—voting rights, equal accommodations, equal employment, equal educational opportunities, open housing, and others. New economic assistance programs were launched and billions of dollars appropriated which also would have been impossible a short time earlier—job training, urban redevelopment, mass transportation, and educational facilities and programs.

This movement had the endorsement of a wide majority of the population—white and black. Generally, the forces to be moved willingly or grudgingly moved but with little overt force or resistance.

There may well exist racist attitudes in American life, as the Riot Commission Report suggested, but the majority of American citizens have been reared and educated in the belief that the rights of the majority in a free society cannot outweigh those of the minority. Whereas, in a democracy, the will of the majority must govern, this will should not be imposed in ways which interfere with the minority's enjoyment of equal rights.

Admittedly, this is theory and many in practice failed to live up to it. But its seed had been planted and firmly rooted. When, then, a dedicated group of citizens—charged by or emulating the zeal and exuberance of youth—sought to put into practice this theory long learned, the forces of resistance and intolerance began to give way rapidly. As indicated above, the changes that have taken place during the past decade are tremendous and would have been little conceived of or hoped for only a decade earlier.

We well know, however, that success and frustration are twin pillars of hope and despair out of which, as I see it, subsequent events were founded.

Many who engaged in the early civil rights movement and many who observed the events of this period, discovered the potential of mass protest. In particular, it was discovered how effective a small,

but dedicated group of persons could be in influencing or even controlling far greater numbers of people. What may have been overlooked, however, or recognized but discarded, was that such influence and control can only be successful if the cause is thought to be basically right by the majority and the majority is psychologically and philosophically attuned to accepting the results. If not, then, a minority's attempt to impose its will upon the majority can only lead to defeat or to the overthrow of the majority under conditions in which the majority are controlled through coercion, intimidation, fear and force. In the latter case, violence is almost always present; in the former, the existence and degree of violence is generally in direct proportion to the strength and dedication of the minority.

If this analysis of recent events is correct, the early successes in the civil rights movement—together with vast promises, incapable of short-term fulfillment, made by various public officials—raised false hopes among the black people as to the early elimination of all inequality and imbalance in the economic, social and political spheres of society. The long history of these conditions, together with the vast resources that would be needed to correct them, meant that quick and easy successes were no longer possible. This inevitably led to deep frustrations among members of the black race. And, since the means of earlier successes were those of protest, they were again applied to this new situation. But, this time, the force to overcome was greater and the justice of the cause not so readily understood by the majority. In consequence, success was not as apparent. So, in the nature of frustrated man, especially youth, weapons of a similar but more forceful nature were resorted to. This has resulted in an escalation of protest which has moved toward the violence, and unlawfulness which face us today.

This cannot be long tolerated by any society. Society, as the macrocosm of the human beings within it, carries the instinct for self-preservation. It will resist destruction, but if weak, it will be overturned. But, as indicated, this may well be accomplished by violence.

Much needs to be changed and improved in our society. The rising demands and expectations of persons everywhere, whether at home or abroad, whether rich or poor, whether educated or illiterate, whether young or old, require that we weed out that which is wrong or outdated in our society and replace it with more workable and responsive procedures and methods. But, we must also seek to preserve and defend that which remains sound and sensible. When changes are to be made, they must be based upon knowledge and reason—not at the barrel of a gun or in reaction to fear and intimidation. That which has, on the whole, made our country the strongest and freest society in the world should not be cast out irrationally or through coercion unless there exists a more perfect substitute. All benefits of society are clearly not equally available yet to all its members. Yet, a society cannot be dismantled, philosophies and

practices cannot be disowned, and social mores cannot be overthrown and replaced only by pet theories, disjointed philosophies, random wants, desires or, worse yet, by a vacuum, without a society being thrown into chaos. And that is what would occur if the country fails to come to grips intelligently with the situation now facing it.

With militants it is often difficult to detect a coherent and logical philosophy or purpose in what they are seeking, or what they hope to accomplish. We see much that is negative. In fact, as one views the statements of militants, one sees the conflicting attitudes, between desire for an open society for some and a closed society for others.

The majority of the people in the country, while of course not totally satisfied with life and events, recognize the merits, benefits and purpose of our society. Certainly most of those who give endorsement to militants or radicals do not actually support or want an overthrow of our society. Every effort must be made, therefore, to initiate actions which spell out clear guidelines of behavior, which let people know what the alternatives are, which strive to reduce or prevent violence, and which apprise those on both sides what are acceptable and unacceptable courses of action.

People in public life—especially the President, Governors, mayors, Cabinet officers, Members of Congress, and other high officials—must take on this responsibility. Businessmen, academicians, labor leaders, leaders of the black race, religious leaders, and others must assume a similar responsibility.

This will not be easy, it cannot be of short duration, it will require cooperation and effort from all segments of society, and it will have to call forth originality and innovation in methods and techniques.

It would seem, however, that immediate consideration should be given to adopting procedures whereby all citizens who are essentially law abiding—and that is the overwhelming majority—would know with greater precision what is lawful and what is unlawful behavior. As we experience an escalation of dissent, the weapons and methods used are increasingly crossing over into areas of illegal behavior. These must be resisted and I am convinced that most people would so resist if apprised of the boundaries. Today, unfortunately, this is lacking and the boundaries are not clearly delineated. This can lure people into supporting, tolerating or making concessions to militants—black or white—which would not be made if legal rights and wrongs were more precisely spelled out.

The most desirable way of doing this would seem to be in the courts. On the whole, the Federal judiciary is impartial, learned in the law, and reasonable. The issuance of rulings by these courts would generally be recognized and respected by an overwhelming majority of the people.

There presently exists in Federal law the judicial device known as the declaratory judgment. This procedure enables a controversy to be laid before a court to issue a ruling which lays down the legal rights of the parties. It is similar to an injunctive proceeding, but the court in

a declaratory judgment does not impose orders or restraints directly upon individuals. In this sense, it seems far preferable to an injunctive proceeding because the rights of the parties can be enumerated and clarified without anyone being punished or made to feel that he is being punished. The saving of face and the recourse to reason can thereby be better preserved under such circumstances. Once a declaratory judgment is issued, a court is in a position to take action by way of injunction, fine or penalty much more rapidly than if such action were only just initiated.

I am informed that an actual controversy must exist between contesting parties before a court will undertake a declaratory proceeding. That is, there must be present a legal dispute which is subject to rather immediate legal redress and which is the subject of only a single contingency. Thus, a court could accept jurisdiction if a right is being threatened under law and will be invaded if one party to the dispute takes action. A double contingency is not recognized, however, where both parties must first take or threaten action. Regular injunctive proceedings may also be available in certain instances where a single contingency exists, but aside from the face saving aspects discussed above, injunctive relief generally must await the actual commitment of a legal violation. Frequently, at that late date, reasonable restraint or noninvolvement by otherwise responsible people may not be obtained.

For these reasons, I would hope that responsible public officials and judicial officers will give consideration to the use of declaratory judgment procedures to lay down the rights and obligations of individuals before violence erupts or before such violence rises to the level whereby otherwise well-intentioned persons are entrapped into foolish or illegal actions through ignorance or fear.

This subject is raised today, during the debate on the higher education bill, because Northwestern University, like most of our major private institutions of higher education, receives substantial sums of Federal tax dollars. For fiscal year ending August 31, 1967—the last period for which complete figures are available—Northwestern's expenditures were \$60,371,000, of which at least \$17,336,000 was received through a variety of Federal programs. Some of the Federal programs included:

HEW	\$9,242,217
Navy	765,649
Air Force	333,013
National Science Foundation	2,059,858
AEC	348,261
Army	340,261
Sec/Defense	1,318,188
NASA	1,374,206
Other	1,555,098
Total	17,336,999

After careful examination of the agreement entered into between officials of the university and representatives of the black students, I believe that it is possible that violations of two Federal laws will be committed if the agreement is implemented as written. And, that the seeds were laid for the possibility of

committing at least three other violations.

The agreement provided that the university would provide the option of segregated housing facilities for black students. This could well constitute a violation of the open-housing provisions of the 1968 Civil Rights Act.

Under section 803 of that law, all housing provided in "whole or in part with aid of loans, advances, grants, or contributions made by the Federal Government" after November 20, 1962, and not yet paid in full, if repayment required; and all housing provided in "whole or in part by loans insured, guaranteed, or otherwise secured by the credit of the Federal Government" after November 20, 1962, are required under section 804 to be made available without discrimination on account of race and shall be offered without any preferences, limitations or discrimination on account of race in any "notice, statement, or advertisements".

Similarly, title VI of the 1964 Civil Rights Act provided:

No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

Since the Federal Government extends financial assistance to Northwestern University, by way of grants, loans, insurance, and guarantees, it is quite possible that the university could be in violation of these laws if it proceeds to set aside segregated housing facilities for black students. The same may also be the case if segregated activity rooms within such facilities are also set aside on the grounds of race.

If the officials of Northwestern and the student representatives had been apprised of the possible legal requirements under these laws through a declaratory judgment proceeding, the text of the agreement might have been written differently.

As it is, if this interpretation of the agreement and the law is accurate, the Secretary of Housing and Urban Development is empowered to investigate this agreement under title VI of the 1964 Civil Rights Act and section 808(d) of the 1968 Civil Rights Act, and to consider the desirability of commencing education and conciliation activities under section 809 of the 1968 Civil Rights Act. In addition, the Attorney General is authorized to investigate the agreement with respect to section 813 of the 1968 Civil Rights Act which directs him to obtain injunctive relief against persons engaging in a pattern or practices of resistance to granting the full enjoyment of the open-housing provisions to other persons. Under the same law, he may have the authority to investigate the matter with respect to title IX of the 1968 Civil Rights Act wherein persons are prohibited by means of force, threats, and intimidations to deny the rights under the open housing laws to others because of race, color, religion, or national origin.

Finally, the actions taken by the black

students may also constitute a violation of title I of the 1968 Civil Rights Act which prohibits the use of force, intimidation, or interference by anyone for the purpose of interfering with the many enumerated federally protected rights and activities of others on grounds of race, color, religion, or national origin.

The thrust of the student demands seems to revert back to the "separate but equal" racial philosophy of pre-1954. This being the case, I can readily understand the difficulties faced by the officials of Northwestern University in their recent negotiation. Indeed, this aspect of the problem will have to be better understood and dealt with by our society as a whole.

Officials of the university might well consider seeking the advice and assistance of the Secretary of House and Urban Development, the Attorney General, the Commissioner of Education, and the heads of other appropriate Departments to avoid unknowingly committing the university to a course of action which could place it in violation of any of the above-mentioned statutes.

Equally important, I would hope that other universities will profit from the Northwestern experience.

I recognize, of course, that the declaratory process is no panacea. It will certainly not prevent all violence and illegal activities. It undoubtedly has little validity in urban riots. It may well be too narrowly drawn or interpreted to be adequately effective—thereby requiring careful consideration of broadening its application. I do believe, however, that it or some procedure like it can be used as one effective tool in the arsenal to prevent, deter, or ameliorate the escalation of lawlessness which is sweeping the country today.

Eric Sevareid has said:

Our freedom will be imperiled only if it turns into license, seriously impairing order. There can be no freedom in the absence of order. There can be no personal or collective life worth living in the absence of moderation.

Edmund Burke put it this way:

Men are qualified for civil liberties in exact proportion to their disposition to put moral chains upon their own appetites. Society cannot exist unless a controlling power upon will and appetite be placed somewhere, and the less of it there is within, the more there must be without. It is ordained in the eternal constitution of things that men of intemperate minds cannot be free. Their passions forge their fetters.

The Chicago Tribune article follows:

[From the Chicago (Ill.) Tribune,
May 5, 1968]

HERE IS TEXT OF AGREEMENT BETWEEN NORTHWESTERN UNIVERSITY AND STUDENTS—SCHOOL TELLS OF PLANS TO AID NEGROES—BLACK DEMANDS ANSWERED

Following is the text of the "draft agreement between the Afro-American Student union and FMO (For Members Only) and a committee representing the Northwestern university administration as reprinted in the Chicago Tribune.

POLICY STATEMENT

Northwestern university recognizes that thruout its history it has been a university of the white establishment. This is not to gainsay that many members of its adminis-

tration, its faculty, and its student body have engaged themselves in activities directed to the righting of racial wrongs. It is also true that for many years a few blacks have been members of its administration, faculty, and student body. But the fact remains that the university in its overwhelming character has been a white institution. This it has had in common with virtually all institutions of higher learning in the United States. Its members have also had in common with the white community in America, in greater or lesser degree, the racist attitudes that have prevailed historically in this society and which continue to constitute the most important social problem of our times. This university with other institutions must share responsibility for the continuance over many past years of these racist attitudes.

A few years ago, the Northwestern administration became increasingly concerned with the problem of doing something to improve race relations and to provide educational opportunities in greater measure than ever before for the black people in its community. Within a relatively short period the number of black students, tho still small, has grown to the point at which it can now be said that there is a definite, significant, and important black community within the larger community of the university. Despite the difficulties of understanding that we have attended this process, we mean to and shall approach our role as constructively in this area. We wish to face these new challenges and to enhance, both quantitatively and qualitatively, the role of black men and women in the activities of the university at all levels.

LEAD TO REAPPRAISAL

The events of this week, which have given us new and broader insights, have led us to a reappraisal of the attitudes with which we confront these problems. For many of us, the solution has always seemed to be one of simply obliterating in our laws and in our personal relations the distinction between the races; that is, if only man would ignore in his human relations the differences in skin colors, racial problems would immediately disappear. We are now learning that this notion does not come fully to grips with the problems of the present turbulent period of transition. In short, this means that special recognition and special concern must be given, for some unspecifiable time, to the black community that is emerging within our institution.

Accordingly, we cannot be complacent with institutional arrangements that ignore the special problems of black students. An important and difficult problem is that of an essentially white leadership to understand the special needs and feelings of the black student, as well as the difficulty arising because the black student does not regard the white university authorities as capable of appreciating all of the nuances of his decidedly separate culture.

ACCEPTS BASIC SENTIMENTS

The university therefore accepts the basic sentiments expressed in the black students' petitions, and urges the following in addition: that there be established a special Northwestern University Advisory council as an instrument of university administration to function at all administrative levels as the administration deals with problems of the black community related to the university. We believe that membership on this council should consist only of black leaders who have distinguished themselves within the black community in educational and professional affairs. This council to consist of ten (10) members, should be chosen by the university administration from a list of twenty (20) nominees to be made by the black members of the university community. We believe that the insight and the choice of this council

will be valuable in assuring that the university will be more responsive in reacting to the particular needs of its black students.

An urgent function for such a council would be to recommend to the university what changes in its procedures are needed to handle better the problems of black students. We believe that such a council could play in future years an important role in recommending the selection of members for the newly appointed University Committee on Human Relations. But until the council is formally constituted, the President will appoint a University Committee on Human Relations and will make appointments in a way that elicits and recognizes the recommendations of the black students. The university will inform the black student community of the date by which recommendations for membership on the committee must be submitted.

INTENT OF DISCIPLINE

The university also recognizes in the matter of student discipline that the intent of disciplinary action is to improve the standard of personal conduct rather than to punish per se, and it recognizes that in this purpose it is necessary to take account of the racial, cultural, and personal characteristics of all students concerned. In keeping with this principle, the administration will instruct the University Discipline Committee to review the case growing out of the Dec. 2 incident. It also agrees with the complaint that the judiciary function must proceed as rapidly as is consistent with the justice of decisions. All ways of expediting the judiciary process will be pursued.

We acknowledge and respect the black students' desire for a guarantee of an immediate proportionate representation in Northwestern freshman classes. We cannot in good faith offer such explicit guarantees and wish to explain why. Hitherto, we have confronted three major problems in this regard: recruitment, competition from other colleges and universities, and support for a program of financial aid to black students.

The University welcomes assistance in resolving these problems from black students at Northwestern and from any other interested quarter, but especially we welcome assistance on recruitment and related issues, including admissions criteria for black students.

It is hoped that in the future, thru the combined efforts of the black students and the office of admission, a greater number of applications will be received from black high school students. If such efforts are successful, it is realistic to assume that the black community in the nation at large will soon be proportionately represented in the Northwestern student body. It should be noted that the university has received the following number of applications from black students in the past three years: in 1965-66, 70; in 1966-67, 90; and in 1967-68, 120. The office of admission will provide an annual progress report of the number of black students who have applied and who have been accepted by the university.

SEEKS AN INCREASE

The office of admission of the university is committed to increase the number of black students at Northwestern as rapidly as possible, and to seek at least 50 per cent of these students from the inner-city school systems. The university is further committed to intensify present recruitment efforts in order to assure such an increase. Altho the university is committed to accelerate the increase, it is unable to cite a specific number because of ever-increasing competition from other colleges and universities.

In pursuing this goal of a guaranteed increase in black students the office of admission will welcome a committee of black students selected by the black community to advise, assist, and counsel the committee on

admission. The faculty committee on admission prescribes policy governing the philosophical concerns of admission, for example, it determines criteria for admission. In the daily operations of the admission office black students will be asked to provide direction as to which high schools, other institutions or persons the office of admission should contact. In addition, black students will be asked to advise with respect to the admission and financial-aid candidacies of individual black applicants and on other operational concerns as they arise. Salaried positions in the office of admissions will be created for such students who assist in student recruitment.

CANNOT PERMIT DECISIONS

The university, however, cannot permit students to make individual admission decisions. The evaluation of a candidate's folder is confidential and is a privileged communication between the candidate and the office of admission. The university is legally and morally bound to honor such privileged communication.

The student affairs office of the university routinely provides lists of students to campus organizations. [A list of all black students, as far as they are known to the student affairs office, will be provided to FMO. Such a list will include names and addresses of presently enrolled black students and those accepted in each entering freshman class.]

We agree that an orientation program will be arranged for entering black students. For students entering in the summer program, block time will be allocated for scheduled meetings and programs which will be organized and conducted by an orientation group selected by the black student community. Similarly [two days will be arranged at the beginning of the fall quarter for the orientation of entering black students.] A minimum amount of \$500 will be made available for these purposes.

FINANCIAL AID

In principle, the university agrees that the amount of grant aid for black students should be increased. The development office of the university is constantly seeking additional funds for financial aid purposes. An example of this effort is the recent gift which has been committed and restricted to black students from inner-city Chicago.

The university agrees to a committee selected by the black student community to advise the university's committee on financial aid to students on policy matters regarding financial aid to black students. A special subcommittee will be established comprised of equal representation of black students and faculty members of the committee on financial aid to students. The purpose of this committee will be to review and advise on individual black students' complaints regarding financial assistance. It is anticipated that such requests will include the elimination of job requirements, the increase in a student's assistance, and the granting of special funds to students to attend the summer session.

The university wishes to reply to the statement made by the black student community. "The university has already acknowledged the deficiency in our high school preparation." That acknowledgment by the university only is relevant to individual cases and cannot be categorically applied to all black students at Northwestern.

MODIFIES HOUSING POSITIONS

While reaffirming our previously stated belief that a mixture of student types should characterize living arrangements within the university, we have modified that position in response to two impinging influences: one is the distinctiveness of existing racial concerns; the other is the admitted inconsistency between the ideal of nondiscrimination in housing and the recognized practice of discrimination that exists in certain living units of the university.

Accordingly, starting with the fall of 1968,

the university will reserve separate sections of existing living units of the university in which black students, upon their individual requests, will be housed.

Moreover, the university will move toward providing separate housing units for black male and female students, and will inform the black students of progress in this direction during the spring quarter of 1969.

The administration shares your concern as to the importance of expanding studies of black history and black culture in the university. The introduction of such material thru visiting lectureships, courses, and research is a matter which the dean of the college of arts and sciences will urge upon his departmental chairmen for consideration. The procedure for the introduction of new courses is their recommendation by the department or departments concerned, approval by the divisional council which is elected by the faculty, and their approval finally by the faculty of the college. The curriculum committee of the college recommends degree requirements, but does not officially recommend new course offerings. We encourage you to present curricular suggestions to the individual members of departmental faculties, the department chairmen, or the dean of the college.

Further, we welcome suggestions from the black community as to qualified potential faculty members. Nevertheless, it should be pointed out that appointments are initiated by the department faculties and they are the groups to whom suggestions should be addressed.

We must, in all candor, state that the administration cannot provide more specific replies to the demands under this heading since the initiative in all these matters is a prerogative of the faculty.

MEETING TO BE SET

Dean Strotz will also arrange for a meeting of the black students with Prof. Jean Hagstrum, Chairman of the Faculty planning committee, so that their views and ideas regarding curriculum may be expressed to him.

The university reaffirms its confidence in the newly appointed black counselor in the dean of students office and in the office of admission, and in his value to the Northwestern community at large. Although he was appointed without consultation by the dean of students, we sincerely hope that this past procedure will not hinder the black student community from communicating fully and openly with the new appointee.

STAND ON HOUSING

The university has taken a strong stand on open occupancy in Evanston, as evidenced by Mr. Kerr's recent statement to the Evanston city council. In the housing under its ownership—that is—the N. U. apartments, Dryden Hall, and faculty homes—there is no segregation whatsoever. A list of occupants in this housing is available. Furthermore, when the committee appointed to deal with discrimination in housing makes its report within the next two weeks, the University will be prepared to implement the measures recommended. The university is committed to working for just living space and conditions for all black people.

We share your concern for open occupancy, and concur that meetings should be held with the committee on housing discrimination to review the relevance and effectiveness of their conclusions. We ask you to convene a committee of black students in order to participate in these reviews and discussions.

This document has been drafted by and is concurred in by the president, the several vice presidents, certain other officers of administration, and several senior faculty members.

TELLS OF PLANS

The university realizes the special needs for activity space for black students. By September 1968 the university will provide

a room on campus in an attempt to meet some of these needs. The space should provide for general lounge activity and also be usable for meeting activity as well. It is clear that because all of the space needs of black students cannot be met through the provision of such a room, every effort will be made to schedule other multiple-use space to assist in meeting these special needs.

Some cultural activities and many social activities presently available on campus are irrelevant for the black students; new activities must be developed to meet these needs.

The university asks that the black students select a committee to work with it in all these efforts.

Specific consideration should be given to the following details:

1. Adequate library and artistic display space.
2. Flexibility of house to meet the special social needs of black students.
3. The provision of maximum privacy of the area.
4. Sufficient financial resources to carry on a reasonable program.

Mr. Chairman, following are the editorial comments of three Chicago newspapers. The editorial viewpoint of the Chicago Tribune was inserted in the RECORD earlier this week by my colleague the gentleman from Illinois [Mr. MICHEL].

[From the Chicago (Ill.) Daily News, May 6, 1968]

NORTHWESTERN "VICTORY"

On the surface, the weekend events at Northwestern University have an ominous quality that bodes no good for that institution or others like it. The seizure of the NU business office, the ever-present threat of violence to persons and property, the claims of "total victory" by the black students—these were the tactics of lawlessness and blackmail, and the settlement is made to sound like appeasement or, worse, abject surrender on the part of the university.

But the surface view is just always the correct one, and instant judgments based upon it may not be valid. The trustees, alumni and friends of the university would be well advised to look deeper and wait for the dust to settle before drawing any final conclusions.

In all of the confusion on the normally quiet Evanston campus, one fact stands out clearly: This was not a repeat of the tragedy that occurred at Columbia University. There was no flaring anger and violence; the police were not brought in to sweep out the protesters; the negotiations were carried out in an atmosphere of mutual respect in spite of the outrageous seizure of the business office. And, when an agreement was reached, the black students left the building in spic-and-span condition and volunteered to pay for any unintended damage.

The contrast with the pig-sty conditions left by the Columbia students is notable; so is the absence of bloody brawling. Something must have been done right, or the outcome would not have been so peaceful in Evanston.

The terms of the settlement will require not only detailed analysis, but time to determine in which direction they are leading. It is clear that the black students believe they have "won" a significant victory, and it sticks in the craw to think that victories can be won by the sort of tactics the students used. But it is growing clearer that the university gave away no powers of final decision to the students.

Most of the students' demands that were granted were on their way to being achieved anyway, though too slowly to suit the students. Their principal gain was in advisory status. Certainly if Northwestern is to help black students in this crucial stage of their churning development, it will need their advice and counsel as well as their good will. If Northwestern can continue to keep cool in

the face of extreme provocation and if the students are persuaded that democratic procedures are available to them, the real winner in this confrontation may yet be the university.

[From the Chicago (Ill.) Daily News, May 7, 1968]

CHANGE AT NORTHWESTERN

Northwestern has never been regarded as a pacesetter of liberalism, and one of the surprises to come out of its showdown with black students was the university's ability to cope with radical change. Whether it has coped correctly can't yet be determined with full confidence; the cycle of action and reaction has not yet run its course. But the avoidance of violence and the establishment of open lines of communication with students look promising.

As we noted yesterday, the sit-in tactics of the students cannot be condoned. If the student leaders believe that similar tactics will win no matter how outrageous the demands may be, they will be making a grave mistake. Faced with this situation, the university would have no choice but to respond with whatever degree of force became necessary.

In this instance, however, the more extreme demands emerged as bargaining points to be dropped in the final settlement. And the concessions "won" turned out not to be unreasonable. Northwestern already had plans, for example, to admit more Negro students, and to take many of them from inner-city areas. Negro counselors and advisory committees of Negro students already in residence will be needed to carry out the plans.

One sticking point in the negotiations was the demand for separate living and meeting accommodations for black students. The administration at first took the stand that this was intolerable racism and would move away from the integration policies the university was trying to foster.

But the fact is that current thought among Negro students runs to the idea that integration can be successful only if black and white students meet on equal planes. Their aim now is not instant integration, but consolidation of a "power" base which in turn will lead to mutual respect. This is the "black power" concept, widely misunderstood and widely abused, yet one that may prove to be constructive once it is divorced from the rantings of the violent fringe.

It is charged that the small minority of black students at Northwestern has been subject to "hazing" of many kinds, and that this situation can be remedied only if the Negroes band together. This may be true. It is also true that Northwestern has long accommodated groups of like mind and background by providing separate living and meeting quarters. The whole fraternity-sorority system is such an accommodation. Students of differing religious faiths have their own meeting places. In this context, the demand of the black students looks less sinister.

Many questions remain, and students and faculty alike will have to be alert for individual or group actions that cross the bounds of rational conduct. No individual or group can be allowed to impose a particular brand of "freedom" by trampling on the freedom of others, and if a university fails to teach that lesson nothing can save it.

[From the Chicago American, May 7, 1968]

AGE OF SURRENDER

To those who believe in law and order, the settlement of Northwestern university's black power sit-in can only be viewed with dismay. The university felt impelled to respond to force by capitulation—a reaction that's turn-

ing up with such frightening regularity in this country that it is virtually a way of life.

Many young persons think this is fine. We ought to break with tradition and the old order, they argue. People who believe that anything useful can be learned from history earn only contempt from youthful leaders. They are breaking new trails; lessons from the past, in their opinion, mean nothing.

No amount of logic or exhortation is going to change the iconoclastic views of youth in rebellion. If they are consistent young people will not even be impressed by the fact that the original American Revolution was led by young people—in their early thirties and younger—because, in their view, history doesn't mean anything. Some of the young Negro leaders, of course, do say they want more Negro history taught.

Such history will relate to them the accomplishments of many great Negro men and women, some now forgotten. It will also tell them that the first Negro slave in North America was brought to Virginia, and owned there, by another Negro. [It's documented in "Black Odyssey," by Roi Ottley.]

The problem faced by educational administrators today is a difficult one. How can you stand up for principles you know to be right and yet remain in touch with the young people who reject anything you or your generation stand for? Do you give in, sell out, surrender? Or are there some basic principles for which you fight to the death?

There was a time when heroes and martyrs shed their blood for the truth as they saw it, and most of the social institutions we enjoy resulted from their sacrifices. But in recent years the new leadership has repudiated tradition. The new leadership, which has its own martyr in Dr. Martin Luther King, asserts that the individual is above the law, that the active minority can win its way by use of "non-violent" blackmail—which so often precipitates violence.

The activists at Northwestern university won the day partly by capturing invaluable records, partly by imposing on the guilt complex of those who are ready to plead guilty to a charge of white racism. The settlement may repudiate such principles as integration and respect for law, and it may be unfair to poor white students, but it is the pattern of our times.

This nation can't afford many more victories like that which black power won at Northwestern. Our young activists may want to forget history, but history won't let them. The excesses of the activist minorities today are little different from those in the streets of Rome or Constantinople, Paris, or Moscow. Entire societies collapsed in the past, and it could happen again.

The capitulations at Northwestern, Columbia, and Berkeley result because the intellectual sees more issues than are really there. Black power which seizes the buildings of a private industry may be wrong, but it acts for right reasons, or to correct old wrongs—so the thinking goes. Most of the young people on the campus do not engage in these demonstrations and excesses, but it is felt practically all of youth understands and sympathizes, and the dialog with youth must be maintained.

So, we give up. We accept wrong-doing. And all the people, black and white, who so desperately yearn for leadership that will help us to live in an organized, decent society, begin to understand the appalling truth: That good men and women, from the loftiest of motives, are betraying us into a future of disorder and anarchy.

[From the Chicago (Ill.) Sun-Times]

RESPONSIBILITY AT NORTHWESTERN UNIVERSITY

All law-abiding citizens must deplore the means taken by Negro students to bring Northwestern University officials to the con-

ference table to discuss their particular problems and grievances.

The seizure of university property was an extreme measure of the type usually employed by desperate groups that have been turned down arbitrarily and unreasonably when they seek a hearing for just complaints. There is no evidence that Northwestern had refused any such meeting.

Although the students were wrong, we believe the university officials acted responsibly and intelligently in listening to their complaints and responding to them.

The easy way—we repeat, the *easy way*—for the university to respond when the black students staged a sit-in at the bursar's office and sympathetic white students took over the office of the dean of students would have been to call police and use force to evict the trespassers. The offending students then could have been expelled.

To have done this would have solved no problems and undoubtedly would have created new ones.

Many faculty members as well as white students were sympathetic with the demands made by the black students and with the special problems on which the sit-ins wanted a hearing by university officials. To show compassion for their point of view and to try to understand what motivated them does not necessarily condone the extreme measures they took to attract attention to their complaints. The university wisely took the positive route—it was more concerned with the causes for the behavior of the students than with the extreme behavior itself.

Certainly the students—white as well as black—committed an unlawful trespass which outraged many other students and Evanstonians and for which the students might have been punished. But their intentions were not to be destructive but to emphasize their complaints.

In the discussions that followed, university officials learned of the special problems of the growing Negro student body, including the existence of discriminatory practices. The officials were given new and broader insights into the problems of the black community that is emerging in the university—a black community like that which is emerging in Chicago itself and which must be viewed with the same patience and intelligence shown at Northwestern.

As in all settlements there was a certain amount of give and take. But Northwestern gave nothing that it could not defend on principle.

It should be clear in appraising the settlement that brought an end to the sit-ins that the university did not give up any of the real functions of administrative responsibility. The university turned down a demand for a voice in student admissions and faculty appointments to which no students, white or black, are entitled.

The university was guided by its fundamental philosophy—which should be held by all institutions of higher learning—that it has a responsibility for developing and producing mature and productive citizens from the black communities, thus strengthening American society. It was in line with that philosophy that Northwestern three years ago began its special preparatory course for Chicago inner-city high school students, mostly Negro. Many of those students now are attending Northwestern and other colleges.

In view of its own record and its present compassionate response to Negro problems, we do not think Northwestern needed to make a public confession of guilt for previous "racist attitudes." Nevertheless the statement that white university leadership has much to learn about the special needs and failings of the black student and his separate culture was a candid admission that adjustments must be made. To make a start, the university acknowledged that it can benefit by consultation with Negro stu-

dents. It agreed to set up activity space for Negroes; special private facilities already exist for Catholic, Protestant and Jewish students.

Living quarters for Negroes who wish to live in separate units also will be reserved for them; but we hope that the students themselves will come to realize that such institutionalizing of segregation is not in their own best interests or those of the university.

The university put in writing its hope of increasing Negro enrollment and of financing more black students. This has been a goal of the university for some time, as is evidenced by the growing number of Negro students who have special help.

In sum, Northwestern over the weekend showed its responsibility not only in the field of education but in the broader concept of responsibility to society. To say there was abdication of university responsibility in taking no punitive action against the students simply isn't true. The university put first things first.

We trust that the students who staged the rebellion will now recognize that the conference table and not illegal seizure of property is the only right way to social justice.

Mr. Chairman, following is a statement by presidential candidate, Richard Nixon, on the subject of "Racial Accommodation." Time magazine on May 3, 1968, said in reprinting excerpts of the former Vice President's statement that—

No candidate has addressed himself more realistically to the plight of the Negro slum dweller thus far in the 1968 campaign than did Richard Nixon last week. In a nationwide CBS broadcast, the former Vice President defined a philosophy that combined pragmatism, compassion and faith in the black American's will to achieve his aims within the framework of society.

The statement follows:

NIXON ON RACIAL ACCOMMODATION

Today we commonly speak of the urban crisis. And yet the problems wrenching America today are only secondarily problems of the cities. Primarily, they are problems of the human mind and spirit. For years now, the focus of talk, of debate, of action has been on civil rights—and the result has been a decade of revolution in which the legal structure needed to guarantee equal rights has been laid in place. Voting rights, schools, jobs, housing, public accommodations—in all of these areas, new laws have been passed, old laws struck down. The old vocabulary of the civil rights movement has become the rhetoric of the rearview mirror.

DISMAL CYCLE

And yet these victories have not brought peace or the fullness of freedom. Neither have the old approaches of the '30s—the Government charities that feed the stomach and starve the soul. For too long, white America has sought to buy off the Negro—and to buy off its own sense of guilt—with ever more programs of welfare, of public housing, of payments to the poor, but not for anything except for keeping out of sight: payments that perpetuated poverty and that kept the endless, dismal cycle of dependency spinning from generation to generation.

Our task—our challenge—is to break this cycle of dependency, and the time to begin is now. The way to do it is not with more of the same but by helping to bring to the ghetto the light of hope, and pride and self-respect. We have reached a point at which more of the same will only result in more of the same frustration, more of the same explosive violence, more of the same despair. The fiscal crisis now confronting America is so great, and so urgent, that only by cutting the federal budget can we avert an economic disaster in which the poor themselves would be caught calamitously in the undertow.

The reality of the national economic condition is such that to talk of increasing the

budget to pour additional billions into the cities this year is a cruel delusion. But this does not mean that because we cannot do more of the same, we must do nothing new. For the fact is that all the money in the world wouldn't solve the problems of our cities today. We won't get at the real problems unless and until we rescue the people in the ghetto from despair and dependency. If the ghettos are to be renewed, their people must be moved by hope. What we do not need now is another round of unachievable promises of unavailable federal funds.

What we do need is imaginative enlistment of private funds, private energies and private talents in order to develop the opportunities that lie untapped in our own underdeveloped urban heartland. We need incentives to private industry to make acceptable the added risks of ghetto development and of training the unemployed for jobs. Bridges of understanding can be built by revising the welfare rules so that, instead of providing incentives for families to break apart, they provide incentives for families to stay together; so they respect the privacy of the individual; so they provide incentives rather than penalties for supplementing welfare checks with part-time earnings. We must make welfare payments a temporary expedient, not a permanent way of life, something to be escaped from, not to. Our aim should be to restore dignity to life, not to destroy dignity.

Black extremists are guaranteed headlines when they shout "Burn!" or "Get a gun!" But much of the black militant talk these days is actually in terms far closer to the doctrines of free enterprise than to those of the welfarist '30's—terms of pride, ownership, private enterprise, capital—the same qualities, the same characteristics, the same ideals, the same methods that for two centuries have been at the heart of American success. What most of the militants are asking for is not separation but to be included in, to have a share of the wealth and a piece of the action. And this is precisely what the central target of the new approach ought to be. It ought to be oriented toward more black ownership, for from this can flow the rest: black pride, black jobs, and, yes, Black Power—in the best sense of that often misapplied term.

PROMISE AND FULFILLMENT

We should listen to the militants, hearing not only the threats but also the programs and the promises. They have identified what it is that makes America go and, quite rightly and quite understandably, they want a share of it for the black man. The ghettos of our cities will be remade when the people in them have the will, the power, the resources and the skills to remake them. They won't be remade by Government billions. We have to get private enterprise into the ghetto. But at the same time, we have to get the people of the ghetto into private enterprise.

At a time when so many things seem to be going against us in the relations between the races, let us remember the greatest thing going for us—the emerging pride of the black America. That pride, that demand for dignity, is the driving force that we all can build upon. These past few years have been a long night of the American spirit. It's time we let in the sun. It's time to move past the old civil rights and to bridge the gap between freedom and dignity, between promise and fulfillment.

Mr. Chairman, nationally syndicated columnist, Charles Bartlett, wrote the following on the subject of the "Confrontation on the Campus" on May 8, 1968:

[From the Chicago (Ill.) Sun-Times,
May 8, 1968]

CONFRONTATION ON THE CAMPUS

(By Charles Bartlett)

WASHINGTON.—The student activists have made a game out of forcing change, but the

outer limits of their participatory democracy are going to have to be set somewhere between confrontation and chaos.

The American college student is a newcomer to political activism and he is feeling his way. His short record has high spots, particularly the brave efforts to register Negroes in the Deep South in 1962 and the brilliant intervention in the 1968 New Hampshire primary.

But he is increasingly beguiled by the myopic romanticism that is generated by the radicals of the New Left. Unwilling to work patiently among the poor and unable to incite them to instant rebellion, the New Leftists have evolved a putsch type of activism, a might-makes-right technique for imposing their will upon society. The students are tapped to serve as their shock troops.

The cancellation of final examinations at Columbia is the most recent demonstration of how effectively confrontation works on the campus. No institution has managed to shrug off the demands of radical leaders once they have succeeded in finding the issues around which students will rally.

It does not seem too much to hope that national authority could be challenged in the same fashion.

"Perhaps next time we should keep going, occupying for a time the rooms from which orders issue . . . until those who make policy for us . . . consent to enter into dialog with us and mankind," theorized Staughton Lynd, the history professor who has just been denied a full-time contract at Chicago's Roosevelt University.

The attraction of this activism is obvious for a restless generation that is troubled by its nation's posture and impressed by students' accomplishments on other continents. A swelling distaste for authority, a respect for stylish tactics, and an instinct to disrupt the status quo combine to make the putsch more appealing than petition or the ballot box as an instrument of change.

From the sit-ins to the non-violent demonstrations to the riots, that is the pattern of radical dissent in the 1960s. The progress achieved in race relations bears powerful testimony to the potency of dramatic tactics as a means of forcing society to consider change.

The danger is that the campus radicals are more absorbed in the tactics than in the causes. The civil rights protests prevailed because the cause had an undeniable moral force. But now the tactic is being adapted to causes in which the morality is more obscure, to causes which do not evoke the instinctive sympathy of the majority.

The rallying cries of the New Left are disappointingly flat. They are more anti-American than anti-capitalist, more nihilist than dogmatic, and far more concerned with freedom than with responsibility. They reject the culture without having found a plausible substitute.

They would establish the new radicals as a new elite committed to the concept that all the generations before them have been wrong and hypocritical. The students will run the universities, the workers will run the industries, and the worst sin will be to attempt to wrest control from the mob. The villains are the men who become leaders, from the president of the university to the President of the nation.

This is not the stuff of which revolutions are made, particularly in a society which has many more blessings than problems. It is not even a realistic fulfillment of the ideal of participatory democracy. It is not even an answer to youths' need for a clear-eyed reassessment of the society into which they are moving.

The New Left is more concerned with ferment than with progress and the worst evil of the tactic of confrontation is its prospect of stirring resentments that will damage the right of the young to make their criticisms heard.

Mr. AYRES. Mr. Chairman, I ask unanimous consent that the gentleman from New Jersey [Mrs. DWYER] may extend her remarks at this point in the RECORD.

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

There was no objection.

Mrs. DWYER. Mr. Chairman, I wholeheartedly support the pending bill, the Higher Education Act Amendments of 1968. This bill will extend, expand, and improve the administration of a package of four highly successful programs under which students without adequate financial resources to attend college are provided the necessary assistance, primarily through interest-bearing loans and through remunerative work opportunities.

Briefly, the bill would extend the following programs: First, the student loan program under title II of the National Defense Education Act of 1958, second, the college work-study program under title I of the Economic Opportunity Act, third, the educational opportunity grant program under part A of title IV of the Higher Education Act of 1965, and fourth, the guaranteed student loan program under part B of title IV of the Higher Education Act of 1965.

In addition, Mr. Chairman, the bill would extend these programs through fiscal year 1970 and would provide for advanced funding of the programs, a highly desirable objective which will permit Federal and State Governments, institutions of higher education and students themselves to do more effective planning and will eliminate the delays and uncertainties which have hampered the optimum utilization of the assistance Congress is providing.

The importance of these programs is demonstrated impressively by the widespread acceptance they have received and by the growing demand for the assistance. By the end of the present fiscal year, for example, 2 million students will have received help under the NDEA student loan program. In calendar year 1967, 1,700 institutions provided work for an estimated 300,000 students under the college work-study program, and this figure should grow to 435,000 students in each of the next 2 years under the present bill. Under the educational opportunity grant program, an estimated 226,800 students having exceptional financial need have received grants. Finally, in the 2 or more years of the guaranteed and national vocational student loan programs, which will be merged by this bill, implementing State programs have been established in all 50 States, Puerto Rico, and the District of Columbia, and through February of this year over 796,000 loans have been made by participating commercial lending institutions, and guaranteed by State or private nonprofit agencies or insured by the Federal Government.

This is a remarkable achievement, Mr. Chairman, and the Nation and its people are benefiting considerably from the assistance Congress is providing. Yet, the demand for help continues to outreach the supply of assistance. This is especially true, from my own experience, in my own State of New Jersey, where

many students applying for loans and related assistance have been disappointed. This bill should help greatly to meet this need.

Not only do these programs fulfill compelling needs, Mr. Chairman, and bring significant benefits to the country, but the fact that most of the assistance is in the form of repayable loans, and the fact that matching requirements multiply the available assistance, mean that these programs are producing maximum results at minimum cost, a happy situation which should not go unremarked at this particular time.

I feel privileged, therefore, to endorse these programs emphatically, Mr. Chairman, and to urge our colleagues to join in giving the pending bill the broad support it deserves.

Mr. AYRES. Mr. Chairman, I ask unanimous consent that the gentleman from Michigan [Mr. Esch] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. ESCH. Mr. Chairman, all of us are anxious to see programs flourish which help deserving young people get a good education.

As we assess the guaranteed loan program, it is well to keep its development in full perspective. This is a program developed over a number of years by painstaking and devoted work—by the private sector and by the States.

In this connection I should like to call particular attention to the pioneering work of the United Student Aid Funds Corp. As many Members know, United Student Aid Funds Corp. is a private, nonprofit, tax-exempt corporation whose sole purpose is helping deserving students through the medium of guaranteed loans. The May 1968 issue of *Nation's Business* carries an enlightening article about the history, the philosophy, and the activities of this organization. I am including excerpts from the text of this article in the Extensions of Remarks of the RECORD.

May I also express the hope—and I know I speak for many Members of the House—that with the further development of the student financial aid programs on which we vote here today, there will be the necessary ingenuity and willingness on the part of all who are involved to keep as an integral and growing part of student financial aid the constructive private effort exemplified by the United Student Aid Funds Corp.

Mr. AYRES. Mr. Chairman, I yield myself 3 minutes.

I would like to ask the able gentleman from Kentucky, the chairman of our committee, to comment on what has been referred to me by four different Members; that is, proposed amendments to this bill dealing with college and university students who become involved in the disturbances with which we are all so familiar that have occurred recently. Is it the desire of the chairman to have our committee investigate what has transpired and bring some of the individuals who have been involved and who are directly affected before our committee?

Mr. PERKINS. The gentleman from Ohio, the distinguished ranking minority member, writes me quite often about these problems. I certainly regret the disturbances that have taken place on various college campuses. We all regret these situations. These incidents should not be tolerated.

However, I feel the gentleman will agree with me that we should approach this problem in an orderly way, and that we should not act without ascertaining the facts. These programs involve thousands and thousands of students and over 2,000 colleges, so we must thoroughly consider the problems involved.

The Committee on Education and Labor, as I advised the gentleman by letter, will conduct hearings. I have asked the chairman of the Special Subcommittee on Education, the gentlewoman from Oregon [Mrs. GREEN], to conduct hearings and explore this situation thoroughly. I will personally see that the entire matter is carefully reviewed. This would be a reasonable approach to the problem—a better approach than coming in here and acting hastily before we have the facts.

Mr. AYRES. I thank the gentleman for his comments. I did write the chairman and I received polite and prompt answers along those same lines. But in view of the fact, notwithstanding the statement of the gentleman, that there are going to be amendments offered to the bill dealing with problems that have arisen in this field, I would like to discuss it further.

Mr. Chairman, I am pleased to be a cosponsor of this legislation to continue programs of financial assistance for students. This September will mark the tenth anniversary of the National Defense Education Act, one of the many great achievements of President Eisenhower's administration, which authorized the student loan program. We have since added other forms of student assistance, but the national defense student loan program is still the basic means of meeting the needs of students. It has made possible a college education for hundreds of thousands of needy but able youngsters and their contributions to the national welfare are beyond calculation.

An amendment will be offered to this bill to extend the authorization for work-study assistance for vocational students. I trust that it shall be approved despite the unfortunate recommendation of the Johnson administration that this valuable program be terminated. We as a Congress, and the American people, should be giving as much support to vocational students—and encourage their efforts to learn to earn—as we do to those seeking a college education. They are equally deserving and equally important to our society and to our country. I look forward to the time when these student assistance programs will benefit equally the youngster learning a skilled trade and the youngster working toward a college degree. Our action to extend the vocational work-study program is the first step toward that goal.

Mr. Chairman, several of my colleagues have expressed concern about the unlawful and violent behavior of a small minority of students whose actions in re-

cent days have disrupted the work of Columbia University and several other institutions. Personally, I doubt that very many of those involved are aided by this legislation, and we should not in any case permit the actions of a few to blind us to the value of these programs for the many. Nevertheless, I do believe that our committee has a responsibility to find out why these disgraceful incidents occur and their relationship, if any, to federally supported programs. Accordingly, I have requested Chairman PERKINS to hold hearings on this matter at an early date, and I hope that he will agree to this request. Our colleges and universities are a great national resource which, in a very real sense, belong to all the people, as witnessed by the Federal investment of billions of dollars of the people's tax money in these institutions. The American people have a right to be assured that this great resource is not imperiled by actions which cannot be described other than as common vandalism.

As the ranking Republican member of the full committee, I wish especially to commend the gentleman from Minnesota [Mr. QUIE] for his untiring work on behalf of education, and also to commend his colleagues, Messrs. REID, GURNEY, ERLBORN, ESCH, and GARDNER, for their support in this work of the Special Subcommittee on Education. The subcommittee, under the able chairmanship of the gentlewoman from Oregon [Mrs. GREEN], has made notable contributions to American education.

Mr. PERKINS. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from New York [Mr. CAREY].

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

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

Mr. MEEDS. Mr. Chairman, H.R. 16729, the extension of the higher education student assistance programs, before us today constitutes another in a series of significant educational advances. The first beneficiaries are, of course, the additional young men and women of college age—in my own State of Washington and across this country—who will continue to receive from the increased federally assisted types of student financial aids. These include loans, direct grants, work-study grants, and guaranteed insured loans.

The ultimate effect of this legislation, I believe, goes much further. It is one of the triumphs of American democracy that college is no longer a privilege for the few. Last fall, more than 50 percent of our high school graduates went on to college; a national goal by 1976 is to increase that number to two-thirds.

This means to the Nation that we are removing economic and other barriers to higher education. But, beyond that, this bill is another in a series of enactments designed to strengthen and undergird the basic concept that any society to be free must first be an educated society.

Mr. Chairman, H.R. 16729 will extend for 2 years the major programs of student financial assistance which have meant much to our colleges and universities and the young men and women enrolled in them. You have already heard some of the able members of the Com-

mittee on Education and Labor describe, in detail, the history and achievement of these programs.

Despite difficulties at home and abroad, it is clear that these times will also be remembered as an age of unprecedented achievement in American education. It should be abundantly evident to all of us that education, in all its forms, must be one of the significant aspects of any great Nation that expects to continue forward toward the ideal of individual attainment.

For our young men and women, the doors to college and university education lead to the creative, self-disciplined understanding of society needed for good citizenship.

For some, the doors to college will never open. They will seek alternate routes to attaining job skills or other postsecondary education. For that reason, I am proud to be coauthor of vocational education legislation which will provide those opportunities for the young men and women needing vocational and technical skills to seek employment. A college education is not necessarily a necessity. Many young citizens are capable of attaining a vocational education and, then too, the country ultimately benefits.

But on the level of higher education particularly, the growth in enrollment portrays the coming crunch of students confronting colleges.

Enrollment in the early 1950's was slightly over 2 million students and was approaching 6 million students in 1966, a trend reflecting not only the growth of young persons of college age but also an increased national awareness of the importance of a college education.

In 1966, Washington State, according to U.S. Office of Education estimates, had 133,138 students enrolled in institutions of higher education and this figure will rise sharply in the coming decade.

Simultaneously, the costs of attending college have risen drastically in the past decade. Tuition and fees alone rose 30 percent at public institutions during this period and 73 percent at private ones.

In today's challenging world, college expenses, while not the only problem confronting higher education, are a major one.

In recent years, the Committee on Education and Labor and the distinguished chairman of the subcommittee reporting H.R. 16729, have achieved a solid and progressive record of assistance to our colleges and universities and the teachers and students in them. The important Higher Education Act of 1965 helped strengthen continuing education in our colleges and universities. It provided new library resources and helped developing institutions. It gave increased financial assistance and fellowships. It set up a Teacher Corps and it expanded support for facilities and audiovisual and instructional equipment.

Now, in the area of student financial aid, we have a chance to reaffirm that commitment.

The legislation before us will:

Expand opportunities for college age students through amendments to title II of the National Defense Education Act student loan program.

Carry on the college work-study pro-

gram originally authorized by title I of the Economic Opportunity Act of 1964.

Extend the educational opportunity grant program of 1965 which provides direct grants ranging from \$200 to \$800 for each academic year. These grants, directed as they are towards students of exceptional financial need, allow students to go to college up to a maximum duration of 4 years.

Extend the guaranteed student loan program in a variety of ways.

Provide advanced funding authority for the four student assistance programs now available. Three of these student aid programs were started during the 89th Congress; their record of progress is a solid one.

At this point, Mr. Chairman, I would like to direct my remarks to a district-wide educators conference which I held in Washington State in November. It was attended by leading educators from my congressional district, the State of Washington, and the Department of Health, Education, and Welfare.

Two recommendations stemming from that conference merit comment since they are related to the legislation before us today.

Comments and suggestions of educators were made on improvements that can be made in Federal programs. Three panels reported on some new legislative directions that could be taken in all fields of education but in the area of higher education, two complaints were frequently voiced, and I called them to the attention of our committee, and to educational organizations.

The first was that Washington State educators felt there was a definite need for increased flexibility in the operation of the student financial aid programs by the individual colleges and universities.

The higher education conference panel noted that they also called for an expansion of guaranteed student loan programs, allowing banks more interest to increase their participation. I am happy to note that both of these recommendations are contained in H.R. 16729.

The legislation allows a single authorization beginning in fiscal year 1970 for NDEA loans and college work-study grants; separate authorizations for educational opportunity grants and the insured loan program. In essence, this allows "packaged" student financial aid program for the individual college and university. The legislation also will make some of the needed changes in the guaranteed student loan program which have not carried this program to full participation.

The second recommendation was one voiced by other panels at the educators conference: the need for advance funding and leadtime in preparing for Federal funds. It also applies to higher education.

This legislation is a sound step in the right direction. Advance, or forward funding, has been an important measure in allowing educators necessary time to plan next year's directions.

As the House report on the legislation states, it is necessary for institutions to know how much money they can expect for the following year before they can plan their package form of assistance.

The bill proposes advanced funding authority for the four student assistance programs: NDEA loans, college work-study, educational opportunity grants, and the guaranteed student loan program. These provisions are similar to those adopted for the Elementary and Secondary Education Act. They allow appropriations for the student aid programs to be included in the appropriation acts for the fiscal year preceding the fiscal year for which they would be made available.

We have done much in past years to advance the cause of education in this country. Today, we reaffirm the national goal that every qualified young person must have all the education he wants and can absorb.

The rising tide of enrollments and the increasing costs of higher education are an urgent necessity in this land which needs all the educated manpower it can graduate from our institutions of higher education. And this is true not only because it will ultimately benefit our young men and women and relieve the burden of increasing costs from their parents, not only because the country will be made stronger or better capable to meet the challenges of drastic changes in the fabric of our society, but because it is right.

Beyond pragmatism, we must realize that an educated individual has—in the long run—an infinitely better opportunity to become a free individual; a person better capable of distinguishing and choosing between those aspects of our society which will allow this country to flourish or to wither and die as civilizations before us have. It is not the only answer to today's problems but the urgency of our college needs calls for the strong support of this legislation before us.

Mr. Chairman, at this point, I would like to present some brief statistical summaries of the four student financial aid programs and their projected impact in Washington State for the benefit of educators in my district.

WASHINGTON STATE PROGRAMS OF STUDENT FINANCIAL AID

There are four main programs of Federal assistance for undergraduate college students in Washington State. State participation is similar to that of other schools on the national level. H.R. 16729 extends all four existing programs, also providing increases and new flexibility through such provisions as advanced funding and "packaged assistance" for the individual colleges and universities participating in the student loan program, college work-study, educational opportunity grants, and guaranteed insured loans.

1. NATIONAL DEFENSE EDUCATION ACT

Originally authorized by title II of the NDEA of 1958, this program—over 10 years—has benefited an estimated 8,631 students in Washington State during the present academic year, 1967-68. A total of 23 colleges participating in the program receive an estimated \$4,154,236. This is the largest source of Federal funds and is administered by individual colleges and universities, allowing students to borrow up to \$1,000 each academic

year, a total not to exceed \$5,000. Repayment of the loans, with 3 percent interest, does not begin until the borrower is graduated, leaves the school, or ceases to carry the necessary half-time academic schedule needed to qualify for the loan. Graduates who enter time-teaching positions are "forgiven" loan repayments.

In 10 years of operation, the number of colleges participating nationwide has doubled—from 1,100 to 2,200. Nearly 2 million students have borrowed necessary funds to continue their college education.

Washington State is expected to receive \$4,157,257 in fiscal year 1969.

2. COLLEGE WORK-STUDY PROGRAM

The college work-study program, originally part of the Economic Opportunity Act of 1964, provides part-time employment to college students, particularly young men and women from low-income families. Students enrolled work in institutions of higher education or in community nonprofit and public agencies and are reimbursed for their services. Up to 20 hours a week are allowed for students during the academic year and full-time employment during the summer. The impact of this program—in the Second Congressional District, State of Washington—will next year affect an estimated 361 students. The breakdown: Edmonds Community College, \$11,136, 39 students; Everett Junior College, \$43,050, 93 students; Peninsula College, \$13,876, 25 students; Skagit Valley College, \$7,225, 24 students; and Western Washington State College, \$116,053, 180 students.

In addition, many Second Congressional District residents attend other institutions within Washington State receiving funds. The University of Washington, for example, will receive \$390,412 under this program to help provide employment for an estimated 406 students. Statewide, 38 colleges and universities participate in the program, 3,120 students receive benefits of college work-study programs, and an estimated \$1,487,133 will go to participating institutions of higher education. Federal funds, now providing 85 percent of the funds, are matched by 15 percent from individual institutions. The legislation drops the Federal share from 85 percent to 80 percent beginning fiscal year 1969 and 1970.

3. EDUCATIONAL OPPORTUNITY GRANTS

Educational opportunity grants are awarded by colleges and universities to students of exceptional financial need. The legislation provides for fiscal year 1969 a statewide Federal share of \$1,455,267 and 35 institutions participate. Grants range from \$200 to \$800 for each academic year of study up to a maximum duration of 4 years. An equal amount of financial assistance to a student must be provided from other sources, including State, private, or Federal grant aids. Next academic year's funds will help an estimated 503 students in the Second Congressional District who will share in \$196,300,411. Individual institutions and the number of students estimated to participate next year include: Edmonds Community College, \$3,800, 19 students; Peninsula College, \$1,920, 9 students; Skagit Valley College, \$3,800, 19 stu-

dents; Western Washington State College, \$167,140, 411 students.

In addition, nearby University of Washington will receive \$483,520 to benefit an estimated 1,000 students.

4. GUARANTEED INSURED LOANS

The guaranteed loan program, another new means of financial assistance, is for young men and women from middle-income families, providing the means for college students to borrow money at low interest cost with the Federal Government paying part of the interest for qualified students. Banks and other lending institutions in Washington State make loans directly to students. A State agency or private nonprofit agency "guarantees" the loans, protecting the lender against loss in case the borrower defaults on his loan, and the Federal Government pays a portion of the interest. To underwrite the program, Washington State, in fiscal year 1969, will receive an estimated \$152,950 in insured loan program advances and reserve funds under the legislation.

All four of these programs comprise a comprehensive package of student financial assistance, the dollar amount increasing tenfold from \$59 million nationally to over \$400 million in fiscal year 1968 under all three programs: NDEA student loans, college work-study, and educational opportunity grants.

Our institutions of higher education, the young men and women enrolled in or planning to attend college, the overburdened parents, all appreciate this further direction toward free higher education.

This legislation carries on what we have begun in the past several years in the field of education.

Because it represents a sound investment in the future of this country, it merits our strong support. The Committee on Education and Labor has thoroughly reviewed and evaluated the existing program and, while some of us always seek new and alternative ways to help meet the burgeoning enrollments on the college level, student financial aid is a necessary and vital component of higher education in this country and merits our immediate support.

Mr. CAREY. Mr. Chairman, as the chairman of the full committee correctly pointed out, the bill we are extending here in considerable measure is the National Defense Education Act. The *raison d'être* of that act is that we felt we needed it back in 1958 and, indeed, we need it in 1968—in order to strengthen the defense of our country. Education was described by Admiral Rickover as the first line of defense of our country, because educated and trained personnel in the physical sciences and other disciplines are required to respond to our country in time of need.

However, the kind of response we have been getting from some of the students who are applying for benefits under this act, I think, stray far from the pattern of constructive dissent in terms of national defense and go into patterns I find indefensible. I hope we can anticipate an amendment that will come to this point in the act. I know such an amendment may be offered.

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

Mr. CAREY. I yield to the gentleman from New York [Mr. PIKE] a member of the Armed Services Committee.

Mr. PIKE. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I assure the chairman of the committee and the ranking minority member of the committee that I am going to support this legislation, whether my amendment passes or not. I commend them for having brought the bill out. But there are four loan programs involved, or funding programs, involved in this legislation. My amendment only approaches one of them. That is the National Defense Education Act.

I honestly do not think that it requires great hearings to come to the conclusion that a student who burns his draft card is not contributing to national defense, or that a student who disrupts troop movements is not contributing to national defense.

My amendment, which I will spell out in some detail, simply says that any student who has engaged in such activities during the preceding 12 months will not be granted a National Defense Education Act loan.

There will be other sources of funds available to the students, and there may be universities who will want to give them other sources of funds, but I think we make a mockery of the National Defense Education Act when we allow students who participate in such activities to get loans from the National Defense Education Act.

Mr. CAREY. Mr. Chairman, I thank the gentleman.

Mr. Chairman, I have studied the amendment the gentleman will offer. It has reference within it to protections for the traditional forms of dissent, and even for some of the sophisticated new forms of dissent, which we all recognize in terms of our ideals and dedication to the great freedoms of the first amendment. But I do think—and I agree with the gentleman from New York—there are an adequate number of non-defense related programs for student support, this one program which is tied to our national defense should not be used as an instrument in order to cripple and demean our national defense effort.

I think this is a timely amendment. I am going to support it. We can go on from this position and hold additional hearings and possibly improve on the amendment in terms of further discussion in conference, but I think the people who are paying for this bill, the taxpayers of America and others who are paying for it with something even dearer than taxes, those defending our country in the farflung fronts of the world, expect that we are going to channel the benefits they are paying for with their lives into the hands of those who are interested in defending our country at some point during and after their careers in higher education.

Mr. Chairman, I am going to support the amendment of the gentleman.

Mr. PERKINS. Mr. Chairman, I yield the remaining time to the distinguished gentlewoman from Hawaii [Mrs. MINK].

Mrs. MINK. Mr. Chairman, I wish to add my support of H.R. 16729 and to extend my compliments to the committee, and particularly to the chairman of the full committee, the gentleman from Kentucky [Mr. PERKINS], and the chairman of the subcommittee, the gentleman from Oregon [Mrs. GREEN], for extending one of the most significant programs that I have had any contact with in the field of higher education. Personally, I cannot think of anything more important than the programs which afford students an opportunity for a higher education, whether it be in a community college or a junior college or a university.

This bill, I think, is excellent and deserves the support of the entire House. It modernizes the programs and affords a new concept of reinsurance in order to make more funds available for private loans for students.

This legislation comes at a particularly critical time in our country's history. I believe that a strong vote approving this legislation will serve as the best possible evidence that we have to demonstrate not only to our country but particularly to the youth of our country our confidence not only in their future but also in their performance as students and as our future leaders.

In extending this assistance, we not only reaffirm our pledge to provide the country with well-qualified professional personnel for the coming years but also maintain our promise to the parents, which we made 2 years ago, to assist them in every possible way in meeting the high cost of sending their children to college. We will again also publicly announce our desire to aid each and every young man and woman in this country who has the ability, the determination, the desire, and the motivation to pursue an education after high school and go on to college.

As I said, this request comes at a time when great stresses are being exerted upon the Congress to reduce Federal spending and Federal commitments. I believe it is a tribute to the good judgment of this committee and of our leaders that we have been asked to consider this extension of the program today.

I consider this one of the most worthwhile programs this Congress is being asked to enact. Without it, our country would suffer immensely.

I am informed that at least 1 million students might not be in college today were it not for Government loans, scholarships, grants, and loan insurance. Last year, one student in five attended college with Federal assistance.

The U.S. Office of Education estimates that average annual undergraduate college costs for the 1966-67 school year ranged from \$1,102 for students attending community colleges to \$3,360 for students attending high-cost private colleges. At State universities, the estimated average cost was \$1,890.

H.R. 16729 will extend—

First, The NDEA program of Federal loans of \$1,000 a year to undergraduate college students. An authorization of \$200 million for each of fiscal years 1969 and 1970 is included in the legislation. Hawaii received for the 1967-68 academic year

a total of \$271,354 for the two colleges participating in the program.

Second, The work-study program, which is continued through fiscal year 1970 and authorizes appropriations of \$225 million for each of the fiscal years of 1969 and 1970. The legislation provides that the Federal aid will offer 80 percent of the student assistance as of June 30, 1968. In general, the basic pay rate is \$1.25 an hour, although up to \$3 an hour may be paid for highly specialized campus jobs.

Third, The educational opportunity grants with an authorization of \$70 million a year for the fiscal years of 1969 and 1970. Scholarships are made under the program to students of exceptional financial need and can range as high as \$800 annually.

Fourth, Federal assistance to non-Federal student loan insurance programs is extended for 2 years and will permit insurance of loans in a total principal amount of \$1.4 billion each year. This is the same dollar amount as the 1968 authorization.

I urge favorable action on H.R. 16729 today as one of the most important pieces of legislation to come before us this year.

Mr. ALBERT. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the Record.

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

There was no objection.

Mr. ALBERT. Mr. Chairman, we can be proud—and justly so—of our comprehensive program of Federal assistance for needy college and university students. The hearing record on H.R. 16729 is filled with individual examples of students whose attendance at college was made possible only because of assistance obtained under one or more of our four programs. Additional examples were discussed as we worked on this bill in committee. And I am sure that every Member of the House knows personally, as I do, of students in their districts who have benefited from this program.

Mr. Chairman, in my own State of Oklahoma, the growth of federally assisted student-aid programs has been significant. In 1959, 25 colleges provided \$571,000 to 828 students under the NDEA program. In 1968, \$3,400,000 is being provided to over 12,000 student borrowers.

In 1965, \$134,000 was made available for college work-study programs at 15 Oklahoma colleges; 1,318 students participated in the program that year. Twice as many institutions are providing programs this year to 6,600 students with over \$2,000,000 in Federal funds.

Two million dollars is being made available at 30 institutions to 5,600 students under the educational opportunity grant program this year. These figures are double what they were in 1966.

Under the guaranteed student loan program, 4,486 loans have been made totaling \$3,169,000.

This is an impressive record in terms of individual successes and program effectiveness in my own State alone. The national picture is even more impressive.

This year financial assistance was provided to an estimated 660,000 students through the National Defense Education Act student loan program, the college work-study program, and the educational opportunity grants. An additional 500,000 students received loans under the guaranteed student loan program. Yes, the record is impressive, but we must not lose sight of President Johnson's statement this year that "for millions of capable American students and their families, college is still out of reach."

If today one capable young man or woman, because of financial inability, decides not to pursue a college education, we have suffered a loss this Nation cannot afford. Just as each of us knows of individual success stories related to the student-aid program, I am sure that each of us has known of parents whose sons or daughters were unable to secure the necessary funds for their college expenses. Unfortunately, in spite of our action today, there still will be able students who will have to forgo a college education because they cannot afford it. But, because of our action today, we will help 1,500,000 students to attend college next year, through the full range of the student-aid programs being extended by H.R. 16729.

I have heard this legislation described as worthwhile. Mr. Chairman, it is not only worthwhile—it is absolutely essential. Without the extension of the National Defense Education Act student loan program being proposed, over 400,000 students will be unable to obtain loans for their college expenses next year.

Without the extension of the college work-study program, needy college students will find little employment on college campuses and in community service programs.

Without the extension of the educational opportunity grant program, promising but exceptionally needy high school seniors of today will be unable to enter college in September.

Mr. Chairman, more than an extension of the guaranteed loan program is needed if the program is to be a meaningful one next year.

This program for college students affords long-term, low-interest loans which students obtain from banks, credit unions, savings and loan associations, and other lenders. Federal interest benefits are paid on behalf of students with an adjusted family income of less than \$15,000 a year. And the lenders are guaranteed against default, either by a State or private nonprofit agency or by the Federal Government.

The program began in a "tight money" market. But in spite of this, and in spite of technical and other problems involved in getting such an unprecedented program underway, between November 8, 1965, and March 1, 1968, \$670.5 million was loaned to 781,500 student borrowers.

As great as this program has been, problems have arisen which hamper its continued growth. The law now limits the interest rate to 6 percent. Lenders have assured us in our hearings that at these rates student loans are a losing proposition and that they cannot long

continue on this basis. The recent increase in the prime interest rate further adds to this problem. The testimony of local lenders was substantiated by college and university student aid officers and officials of State guaranteed student loan programs.

H.R. 16729 proposes that the existing ceiling on interest rates be raised from 6 percent to 7 percent. Such a change will make the program more attractive to lenders and thus increase their participation in the program. The ultimate beneficiaries will be our students—many of whom were unable to obtain loans this year because of tight money.

State guarantee agencies have likewise found it difficult to continue because of the lack of reserve funds. H.R. 16729 contains two provisions to correct this situation. First, the Federal Government would be authorized to reimburse an agency for 80 percent of claims paid by that agency to lenders in case of defaults. The agency is therefore only responsible for 20 cents on the dollar which has the effect of multiplying the guarantee capacity in the States Reserve fund by a factor of four. Second, the bill authorizes an additional \$10 million for Federal advances to reserve funds.

Mr. Chairman, this legislation should be viewed not as an extension or expansion of programs, but rather an expansion of opportunity in higher education. H.R. 16729 was unanimously approved in the subcommittee and in the full committee. The House of Representatives should today overwhelmingly approve this legislation.

Mr. AYRES. Mr. Chairman, I yield 2 minutes to the gentleman from New Hampshire [Mr. WYMAN].

Mr. WYMAN. Mr. Chairman, I take this time, in view of the fact that there is now taking place some preliminary discussion of amendments, to refer to an amendment which, at the appropriate time, I shall offer, which will provide that no part of the money authorized under the bill shall be available to be paid to the benefit of any individual who willfully refuses to obey a lawful regulation or order of the university or college which he is attending or at which he is employed when that willful refusal is certified by the appropriate university authorities as having contributed to a serious disruption of the university or college administration.

This amendment is a little different from that which is intended to be offered by the gentleman from New York. It does not go into the national defense situation or burning draft cards, and it is not retroactive; it will apply only to acts committed or taking place after the effective date of the legislation now before us.

I believe this is important. It is essential that leverage be given to university and college administrators to be able to tell those who may be on tax supported scholarships that if they continue in the future to willfully refuse to obey the college administrators and regulations they will lose their scholarships.

This is the same amendment, essentially, as was adopted yesterday with respect to the National Science Foundation in the consideration of the Independ-

ent Offices appropriation bill, and the transcript showing what happened at that time and explaining more in detail what is involved appears in the Record, now at each Member's seat, on page 12252. I respectfully commend its reading if there is any remaining uncertainty with respect to what this amendment is designed to accomplish.

Mr. AYRES. Mr. Chairman, I yield 2 minutes to the gentleman from Iowa [Mr. SCHERLE].

Mr. SCHERLE. Mr. Chairman, this year marks the 10th anniversary of the National Defense Education Act of 1958 and the landmark student program contained therein.

I am happy to join my colleagues this afternoon in support of the Higher Education Act of 1968. I am also very pleased to hear the chairman, the gentleman from Kentucky [Mr. PERKINS], admit, and also to establish the fact, that we will have hearings in which our committee does not condone the actions of the students of our major universities and colleges throughout the United States.

It is a sad commentary in this great Nation of ours, where tax dollars must be spent to continue riots and demonstrations, and the upsetting of the regular and normal routine of our educational system.

I feel also that an amendment is necessary this afternoon. It seems too bad we would have to legislate this sort of thing, but apparently it is necessary.

We seem to have an apparent breakdown of law and order throughout this entire Nation. We have to legislate what is right and not what we think ought to be. I will support an amendment this afternoon to make sure that this is done. I am sure other Members of Congress will do likewise. I commend the gentleman from New Hampshire on his amendment. I am interested in the one proposed by the gentleman from New York, also. After due and just debate my decision will be based on the one that I think will be the most stringent and the most restrictive.

Education has been in the news in recent days, often in an unfortunate way.

A handful of students at Columbia University in New York City were able to close down that school. Several hundred students deprived more than 27,000 of their right to an education.

At Ohio State University on April 26, students took over the administration building, fastening the doors and detaining two university vice presidents.

At Boston University, students took charge of the administration building for 12 hours, and at Virginia State College students took over the administration building for a whole week.

There is nothing more important for our society than quality education. The minority of students must not be permitted to interfere with the education of the hundreds of thousands of young people who view college as an opportunity for a better life, not a staging ground for violence.

It is through education that men are able to obtain the skills which will provide them with meaningful lives. It is not through parades and protests and

demonstrations that jobs are obtained. It is through hard work and training.

This year marks the 10th anniversary of the National Defense Education Act of 1958 and the landmark student loan program contained therein. During that 10-year period additional student aid programs have been established with the result that today there is a comprehensive federally assisted package of student assistance made up of loans, direct grants, and work-study grants.

I am pleased to join with my colleagues in supporting the Higher Education Act of 1968.

This act extends the student loan programs. It extends the work-study program and the educational opportunity grant program. It provides authorization for advanced funding authority and extends the provisions of the guaranteed student loan program.

During the first 10 years of this act's history, the number of participating colleges and universities has doubled from 1,100 to 2,200. The dollar amount of funds provided to students has increased tenfold from \$59 million in loans in the first full year of the NDEA loan program, to over \$400 million in fiscal year 1968 in the three programs of NDEA loans, student employment, and educational opportunity grants.

The number of students served by these programs has increased nearly sevenfold over the 115,000 borrowers in the first year of the student loan program.

Of more recent establishment is the guaranteed student loan program. Under it, every student accepted to a college can be sure of financial assistance. Over 796,000 guaranteed student loans were made from the inception of the program in November 1965, to March 1968.

The college work-study program was enacted in late 1964 and has been an effective means of assisting college students in financing their education through meaningful and career related employment.

In fiscal year 1966, 1,500 schools employed 275,000 students in work-study programs and in calendar year 1967, 1,700 institutions provided work for an estimated 300,000 students.

This year we have extended and reaffirmed our commitment to education. That we do so at a time when our universities seem to be on the verge of becoming battlegrounds should make us aware of the fact that Federal money must not be used to foment disorder, but only to foster knowledge, training, and information.

Education of the traditional kind merits the support of all of us and I have every hope that this act will be in the forefront of its advancement.

Mr. CULVER. Mr. Chairman, I represent a congressional district unique in the number of small independent institutions of higher education—eight in an 11-county area, offering an extraordinary variety of tradition and emphasis which have served as a magnet to draw young people who are seeking educational excellence, not just from Iowa but from across the country.

Like private colleges everywhere, these schools are now facing serious problems—both financial and academic—

which give rise to fundamental questions not just about the nature of their role in the future, but about their very existence.

It is, perhaps, ironic that these institutions, which have been a key to the strength and diversity of our balanced educational system, are confronted with such problems at the very time that our national needs call for the highest quality of post-high school education, for the largest number of young men and women in our history.

If we are going to fulfill those needs, then we are going to have to utilize as effectively and efficiently as possible all of our educational facilities—from the small private undergraduate college to the largest State university. It makes little sense to pour millions of tax dollars into construction and academic costs of the already overcrowded universities, if at the same time the existing facilities of the small independent institutions are being used far below their capacity.

It is essential, therefore, that we seek creative solutions to the problems of these schools—first through the innovative ability of such institutions to help themselves, but with appropriate assistance from both public and private sources at every level.

Since we do have as large a cluster of private colleges as perhaps any district in the country, I felt that it would be useful to call together the presidents and other personnel from the schools, State and Federal officials, and representatives from the private financial sector, to explore in an open and imaginative way, the problems and their solutions. I was pleased to have at the day-long meeting my distinguished colleague, the gentleman from Indiana, JOHN BRADEMAs, who is not only one of the most able Members of the House of Representatives in terms of education legislation, but an educator himself with personal experience with small private college problems, as a former teacher and a trustee.

We were joined, also, by Dr. Peter Mousolite, the acting regional assistant commissioner and director of higher education for the U.S. Office of Education in Chicago. Dr. Mousolite spoke with professional and administrative experience in the public and private colleges in the Midwest, as well as 7 years of service in the Government in educational programs. We were particularly happy to have him with us because he is a former resident of Cedar Rapids, where the conference was held, and a graduate of Iowa schools.

Our third distinguished guest was Dr. Franklin Littell, the president of Iowa Wesleyan College and chairman of an ad hoc committee of the Iowa Association of Private Colleges, which is presently undertaking a study of financial and academic problems of the smaller institutions.

Dr. W. L. Roy Wellborne, the director of the Higher Education Facilities Commission in Des Moines, also participated in the conference as the administrator of the guaranteed student loan program in Iowa.

We deliberately planned the conference to be informal, exploratory, and candid, and thus tried to avoid the rigid-

ities of a detailed agenda or fixed order of discussion.

The meeting, composed of about 100 participants from the colleges, Government, and the private sector, opened with a provocative keynote address by the gentleman from Indiana, Congressman BRADEMAs, and remarks by Dr. Mousolite. The texts of these speeches, which provided the basis for a stimulating morning discussion, are included in this report.

Dr. Littell offered the luncheon address, and the rest of the day was directed to an examination of the guaranteed student loan program which we established in Congress in the Higher Education Act of 1965.

The afternoon discussion was lead by a panel of men directly involved with the loan program in the Second District: Dr. Wellborne; Fred Breckner, the vice president of City National Bank in the largest city of the district, Cedar Rapids; William Ronan, president of the Decorah State Bank in a community with one of the largest of the district's private colleges; and Churchill Williams, president of the Oelwein State Bank in a middle-sized city of the district which, though without a local college, sends increasing numbers of its students from the two high schools on to further education.

I would like to share with my colleagues here in the House the problems which we identified at the Second District conference, as well as the proposals offered for their solution, because I think that they are relevant to the small independent colleges in every section of the country.

I hope that this report will be helpful in the examination of the legislation before the House today to extend national student financial aid programs, and in the weeks ahead as we consider the balance of the 1968 omnibus Higher Education Act as well as appropriations for these programs.

PROBLEMS OF SMALL PRIVATE COLLEGES: ACADEMIC AND FINANCIAL

Every school, regardless of its size, must deal with the problem of rapidly rising costs for the construction of new facilities, maintenance of its existing plant, acquisition of equipment and materials, teachers and administrative salaries, and student services.

The gentleman from Indiana, Congressman BRADEMAs, made reference to Office of Education figures which place the figure for capital and recurrent expenditures at \$16.8 billion—four times the total costs 10 years ago. But of even greater concern are the projections that, by 1975, the figure will have doubled again, to \$34 billion.

The small independent college faces this problem then in competition with larger universities, both public and private, for limited funds—from student fees, private gifts, and public sources.

The traditional major source of income for the independent colleges are endowments and gifts, and from tuition and fees. But according to the president of the Carnegie Corp., Alan Pifer, and other authoritative observers, these will constitute a declining share of total support for higher education.

Yet the increased assistance to higher education from the Federal Government has gone chiefly to the large universities with major graduate facilities, especially in science and engineering, which can perform contract research for the Government.

In Iowa, for example, last year while 26 private colleges received \$5.5 million, the three State-supported institutions were awarded a total of \$28.9 million.

The private school cannot turn simply to the student for increased support through continually rising tuition and fees, because the results can only be an even greater transfer of young people, particularly lower and middle income students, to the State-supported schools where their personal costs are much lower.

This leads to the corollary problem of attracting and maintaining a full student population and providing a curriculum relevant to the demands of students and the needs of society.

This year, the 29 private colleges in Iowa have an enrollment of 36,505 students, compared with 40,356 in the three State universities. This represents a loss from last year of 2,350 students for the private schools, with a gain of 3,383 in the already crowded State schools. If present trends continue, the Iowa Association of Private Colleges estimate that by 1980, the private schools will enroll only 22 percent of the State's students, with 44 percent in the State universities and 34 percent in public junior colleges.

Thus the solution of these problems is important not just to the survival of the small schools themselves, but to the future of the board of regents universities as well.

APPROACHES TO SOLVING THE PROBLEMS OF THE PRIVATE COLLEGE

Our objective in the conference was not to discover hard and fast solutions, but rather to suggest paths of development which might lead to solutions. The following is a summary of the suggestions which were offered by participants, examined in three categories: what the individual school must do, what institutions must do in cooperation, and what role the government at both the State and Federal level should play.

They do not necessarily represent the consensus of opinion at the conference, nor are they equally applicable to every school's particular problems. But they do provide ideas for further examination, and I would hope that they might be helpful not just to Second District schools, but to institutions with similar problems in every area of the country.

THE RESPONSIBILITY OF THE INSTITUTION

The future of the small private colleges will largely depend upon their capacity to carve out distinctive and meaningful roles for themselves—to attract both students and investment. Various suggestions were offered as to how this might be done:

First, curriculum and teaching methods; small private colleges take justifiable pride in their independence and diversity. Free of the public restraints which State-supported institutions must face, the independent colleges should seek out creative, innovative ideas and

implement them—involving today's informed, concerned, and often impatient students in new and mutually beneficial ways so that education has meaning to them and relevance to society's present and future needs.

Second, diversified student populations: Many of these institutions were founded specifically for the education of a select group of young men and women from middle class or upper middle class families, with common cultural and religious backgrounds. As the mission of the schools have changed, and the demand for higher education extended to virtually every sector of our society, the student populations of every institution have diversified.

Nevertheless, the typical small private college remains essentially a white middle class institution. By seeking out students from minority groups, from lower income levels, and from foreign countries, such schools can not only offer opportunity to young men and women who are being denied, but will enrich the educational experience of the advantaged students on campus as well.

Obviously, one of the serious problems with such an approach is financial. If the institution must depend upon high student fees as a major source of income. We must seek additional means for overcoming that difficulty.

Third, faculty development: The small schools were urged to strengthen their instruction through enrichment of faculty members themselves—participating in both domestic and international faculty exchanges, encouraging faculty involvement beyond the campus, utilizing visiting scholars.

Fourth, precollege guidance and counseling: If the small private college is going to reverse the trend of students away from them and toward the large university, not only must it offer attractive and innovative programs, it must insure that the high school student, the adult seeking further education, the returning serviceman is aware of the opportunities which exist at that school.

This involves greater "promotional activity," if you will, not only among prospective students themselves, but with parents, community leaders, high school guidance counselors, opinionmakers, and others who influence young people in their plans for further education.

COOPERATIVE EFFORTS OF INSTITUTIONS

Perhaps the single most emphasized point in the entire conference was the need for greater cooperation between institutions—among the small private colleges, between the small college and the large university, and with independent research institutes and the community as a whole.

First, shared resources and facilities: With rising educational costs and limited resources, it is more essential than ever before that small colleges share equipment and facilities which singly they might not be able to afford or fully utilize. The exact nature of such facilities would depend upon the individual needs of the institutions, but would hopefully include such cooperative efforts as library networks, shared computers and data processing equipment, closed cir-

cuit television, and faculty and student exchanges.

Second, cooperative arrangements with large universities: Both the gentleman from Indiana, Congressman BRADEN and Dr. Littell stressed the dangers—to individual schools and to higher education in general—if the interests of the small private colleges and the large public universities are polarized. Creative links between the private college, with its innovative ability and strong humanistic traditions, and the large university with its capacity for advanced technological and scientific inquiry, will be far more beneficial than competitive conflict. And the more flexible independent college is in the best position to stimulate that contact and communication.

Third, creative relationship with the community—the Metro Council: Dr. Mousolite advanced the concept of the "metro council"—a voluntary council for post-high-school education—which has relevance for rural areas just as much as for major metropolitan centers.

Such a council would inventory needs and resources on a continuing basis, permitting institutions of higher education to plan ahead and anticipate problems rather than responding to crisis situations. It would conduct manpower studies to eliminate the conspicuous lag which now exists—in areas like allied health professions, for example—between the public need and institutional response.

In addition, it would contrive ways whereby area institutions could share resources and facilities and jointly finance new projects. It could also play a leading role in informing students of available educational opportunities and providing guidance and counseling services.

The Second District of Iowa, with its unusually large number of educational institutions, has a unique opportunity to become a model for such interplay and cooperation, and I am hopeful that this conference may have stimulated additional thinking along such lines.

THE ROLE OF THE GOVERNMENT

Finally, we examined the role of State and Federal Government in the small private college, based on the premise that income from private contributions and student fees will continue to decline and that colleges will look more and more to the Government to assume a larger share of the total support of higher education.

At the outset, it was emphasized that the success of the efforts of the small schools to obtain such assistance will depend primarily upon their ability to convince the public that this is a good way to spend State and Federal tax money.

First, State assistance: The Iowa Association of Private Colleges has proposed a tuition-equalization program, similar to one now in operation in Michigan, whereby students receive grants from the State, based on family income, to help meet tuition costs at private schools.

The arguments for such a program were outlined by the Des Moines Register in an editorial of October 29, 1967. Describing the plan as "a sound investment

in higher education," which would provide "better and more diverse education opportunities at less cost" and would assist State institutions "because quality improvement funds would not be drained by sheer expansion," the editorial said:

Soaring costs are rocketing tuition rates to dizzying heights. Within a few years the gap between private and public college tuition has spread from about \$300 to over \$700. It is in the interest of the state as a whole, its student in all institutions and the private colleges themselves for the state to act now to narrow that gap for Iowa students.

If it does not, Iowa may find itself spending millions to build new state college classrooms while existing private ones are not fully utilized. Any consequent deterioration in quality among the private colleges would accelerate a student swing away from them.

Second, Federal investment: The decision as to the wisdom of that proposal must be made by the Iowa State Legislature. Our concern here in Congress must be with appropriate Federal aid to the small private colleges, and the conference discussions on this point are relevant to today's debate on the Higher Education Act Amendments of 1968.

While the imbalance of Federal funds toward the larger institutions awarding doctoral degrees, for contract research, can be explained and is largely unavoidable, the Congress must take steps to insure that the expenditures for programs designed to aid undergraduate institutions are equally shared.

One of the major reasons why smaller schools may not share proportionately in even this latter type of assistance is that they do not have the same kind of administrative personnel, nor the same experience in dealing with the Federal Government which the large universities have had in the past.

It is essential therefore that we make every possible effort to minimize the bureaucratic requirements for such programs—streamlining application forms and procedures, avoiding duplicated efforts, and eliminating unnecessary and irrelevant eligibility requirements.

Part of the responsibility for this kind of change rests with the Congress, in its review of existing programs and in the requirements which it writes into new legislation.

I am also emphasizing these problems to the Office of Education and urging them to take administrative steps to accomplish the same objectives. I am recommending to the Commissioner of Education that the Office of Education give greater consideration to the unique problems of the smaller schools and bring them into the process of developing guidelines and application procedures in an advisory capacity.

In addition, I am recommending that the Office of Education consider specific activities designed to acquaint administrative personnel of the smaller institutions with all of the available sources of aid, and to provide advice where requested for developing the administrative ability to deal with these programs.

It is particularly appropriate that the Federal Government act to stimulate the increasing interest in consortia and co-

operative arrangements among institutions. The Omnibus Higher Education Act contains such a proposal in its "Networks for Knowledge," title VIII.

This program would provide funds for planning cooperative efforts, sharing curricular material, developing data processing systems for student and financial records, joint utilization of facilities and equipment including computers.

As the gentleman from Indiana, Congressman BRADEMAs pointed out, such assistance would provide extra force for the movement already evident in higher education across the country, and I urge its approval by the Education and Labor Committee and by this body.

Financial assistance to disadvantaged students: I noted earlier the suggestions that were made at the conference to diversify student populations by increasing the numbers of students from lower income levels, minority groups, and foreign countries. I also pointed out the financial problems which this entails for schools who must depend upon relatively high tuition schedules to meet operating costs.

Congress has developed several programs designed specifically for the disadvantaged students, and the Second District schools participate in them—Upward Bound, the college work-study program, and economic opportunity grants. Authorization for the latter two is included in the legislation before the House today. I urge its passage now, and the continued support and development of similar programs for the future.

THE GUARANTEED STUDENT LOAN PROGRAM

As I explained earlier, the conference gave extensive consideration to the guaranteed student loan program as it has operated in Iowa since it was enacted by the Congress as part of the Higher Education Act of 1965.

We are considering the revision and extension of that program today, and I would suggest that the report of the Iowa experience and the recommendations of the conference might be useful to this debate.

According to recent available information, we have the largest number of participating lenders of any State in the Union—610 banks, savings and loan associations, and credit unions. This outstanding cooperation has resulted in over 20,000 loans in 2 academic years, totaling more than \$12½ million.

This record is evidence of the strong belief in education as a valuable investment, and represents a public spiritedness on the part of lending institutions throughout the State in their willingness to make these low-interest loans, even though there are much more immediate and shortrun lucrative means to utilize that money.

Even with this outstanding record, however, less than half of all lending institutions in the State are participating in the guaranteed student loan program. And because of the great increase in the number of applications, more lenders are being forced to limit their loans to their own customers.

Dr. Wellborne reported that, to date, only 15 students had come to the Higher Education Facilities Commission because they were unable to find a lender willing

to take his application. But unless greater participation by lending institutions is encouraged, the numbers of those disappointed students will be greatly increased, thereby defeating the stated purpose of Congress in establishing the program—to provide a source of aid to any qualified student who wants to borrow money to continue his education.

The conference participants, and particularly the lenders themselves, had several suggestions for increasing this participation, both by attracting more lenders and by enabling lenders already in the program to make additional loans.

First, financial relief for low-interest loans: The participants favored some type of relief to lenders either through a direct placement fee paid to the lender each time he makes a loan, or through a direct increase in the interest rate.

Second, reduction in the amount of paperwork required to process loans and maintain records.

Third, realistic limitations on the size of the loans approved: It was pointed out that colleges tend to approve a great majority of applications for the maximum loan, regardless of need. This not only means larger repayments for the student when he finishes school, but reduces the total number of loans which might be made. It was felt that in many cases, with a realistic assessment of the student's actual needs, the size of the loan could be cut down.

Today the House of Representatives will vote on legislation which is designed to increase the extent and effectiveness of the program by enlarging assistance to the States by one-third, by Federal reinsurance of State insurance, by raising the maximum allowable interest rate from 6 to 7 percent, and by combining the vocational student loan program with the guaranteed student loan program. I urge approval of this legislation.

CONCLUSION

This conference on the small private college was extremely valuable to me personally, and I have received favorable comments from a large number of the participants from colleges and lending institutions who said that it was useful to them as well.

I hope that my colleagues in the House will find the report of the conference interesting and helpful, and would encourage them to consider similar meetings in their own congressional districts.

I include at this point in the RECORD the text of speeches by the gentleman from Indiana, CONGRESSMAN BRADEMAs and Dr. Mousolite:

KEYNOTE ADDRESS OF CONGRESSMAN JOHN BRADEMAs, OF INDIANA

As John Culver has said, I have served in the House of Representatives for nearly ten years now. I can tell you, therefore, that yours is one of the most gifted, courageous and hard working Congressman that I have known in nearly a decade of service in Congress. I know that all of the people in the Second District and the State of Iowa must be proud to have a Congressman like John Culver serving them.

The conference that Mr. Culver has organized here this morning is solid evidence that he gives leadership to the people in his district and is not content simply to reflect prevailing attitudes.

A question often asked a Congressman is,

"Do you vote the way the people of your district feel or do you vote your own conscience—the national interest?"

Such a question presumes that a Congressman is some kind of walking Gallup poll who knows exactly how the people of his district feel on every single issue which comes before Congress. We try to respond, and we do the best we can to seek the views of people in our districts. But on great issues of national concern, a Congressman has a responsibility to the entire country.

John Culver is the Representative of the Second District of Iowa, but he is also a United States Representative—and that is his proper title. And in John Culver you have a Congressman devoted to the national interest as well as a Congressman dedicated to serving his district.

I am also glad to be here with my old friend, Peter Mousolite, the regional representative of the Office of Education in Chicago, who is going to be meeting with you this afternoon. Peter and I have certain traits in common, chief of which are that we are both of Hellenic origin, and both devoted to education. By the way, until last year I was the only Member of Congress of Greek origin and the only native American Congressman of Greek origin ever elected.

I want to say, however, Congressman Culver, just, to set everything straight, that I am a Methodist, which I understand is a condition for entering this part of Iowa. And to Monsignor Driscoll, I would like to say that I happen to represent the district where the University of Notre Dame is located.

The next reason that I came to Iowa is that Congressman Culver invited me to talk about education. I serve on the committee in Congress with chief responsibility for education legislation. In that capacity I have had the very exciting experience over the last ten years of talking with students, professors, school teachers and college presidents here in our own country and in a number of other countries as well.

In all those experiences I have repeatedly been reinforced in my own conviction that the future of all of these peoples, as well as of our own country, can in large measure be determined by the national commitment to first class education and to widening access and opportunity to achieve a first class education.

The final reason that I am pleased to be with you is that you have invited me to talk about the role of the small private colleges in America. I used to teach at a small private college, St. Mary's College, at Notre Dame, Indiana, and I now serve as a member of the board of trustees of that college.

I am, therefore, all the more concerned about your destinies because as a trustee of a small private college, I have much the same interest and responsibility as you do.

I have been very much impressed with what Congressman Culver has told me about the extraordinary diversity and strength of private colleges in Iowa. I understand that you have some 29 private colleges in this state and that you have a substantial number here in the Second Congressional District.

If I may then, let me talk to you about American higher education with particular emphasis on the place of private colleges and the impact of the Federal Government on private colleges.

A SPECTRUM OF CHALLENGES

The first point that I should make is that not only you, but all leaders of higher education in the United States, are confronted with a wide spectrum of challenges. In the academic year 1955-56 there were some 2.6 million students enrolled across the country in degree granting programs in junior colleges, colleges and universities.

Today that figure has mushroomed to 6½ million students. More important, we are told that by 1975—and this is a conservative esti-

mate—the number of these students will leap to over 9 million, an enormous figure.

We must therefore keep in mind the ballooning costs of higher education. When we examine the overall capital and current expenditures of all higher education institutions in this country, we find that in the year 1955-56 the figure was \$4.1 billion. You may be interested to know that 23% of that figure came from Federal programs.

In 1975, according to U.S. Office of Education estimates which take into account anticipated rises in costs and enrollment, the current figure for capital and recurrent expenditures of \$16.8 billion—four times the figure a decade ago—will have doubled to 34 billion dollars. And I will shortly show that this is a conservative estimate.

In his fine paper on financing higher education, which I hope you will read if you have not already done so, Don D. Millet, chancellor of the Ohio Board of Regents, analyzes the several sources of support for higher education in the United States: fees charged to students, philanthropy, and Government funds. Chancellor Millet concludes by warning that the prospects are not bright for adequate support for higher education in the future.

Alan Pifer, the president of the Carnegie Corporation, who succeeded Mr. Gardner in that capacity, said in an important speech last month that higher education in the United States must accept the Federal Government as a principal source of financial support. Therefore, Mr. Pifer contends, representatives of higher education must engage Federal officials in a high level, dispassionate, nonpolitical debate about the future of higher education.

Mr. Pifer predicted that whatever form the aid takes—whether, for example, it is general aid or some form of categorical aid—the Federal share could come to represent 50% of all support for higher education by the year 1975. This figure assumes that the Vietnam war will end by 1970.

He predicts that income from endowments and gifts and income from tuition and fees will constitute a declining share of the total support for higher education.

He likewise foresees the same proportional decrease in income from State and local governments. Mr. Pifer concludes, therefore, that if the Nation's needs for higher education are to be met, the Federal Government must necessarily accept the principal part of the burden.

This perceptive foundation executive then wisely acknowledges that many educators are less than happy about the prospect of the Federal Government providing the lion's share of higher education support.

THE FOOD IS TERRIBLE, BUT THE PORTIONS TOO SMALL

He tells a story that John Gardner sometimes adds when commenting on this fearful attitude of some higher education leaders toward increased Federal aid. Mr. Gardner tells about the little boy who wrote his parents from summer camp that the food was terrible and, anyway, he said, the portions were too small. This is an attitude that will not be unfamiliar to many of you, and it is certainly an attitude with which we as Members of Congress are familiar.

This, however, may seem to be a very strange time to be talking about increased Federal support of education in view of President Johnson's budget request for education which he sent to Congress a few weeks ago. As I think all of you are aware, the budget for higher education programs in particular are being painfully squeezed. In some areas, especially, the field of classroom construction, major cutbacks are in store.

According to the President's proposed budget, grants for higher education facilities in fiscal year 1969 will be cut by almost \$82 million below the current fiscal year. In other areas the President has called for a hold-the-

line approach with modest increases for certain programs.

The President's budget proposes, for example, that total student aid funds and educational opportunity grants, national defense student loans, work study programs, and guaranteed student loans under title IV of the Higher Education Act be increased to \$622 million for fiscal year 1969, a jump of \$112 million over the present fiscal year.

Some new increases are also called for in the budget to support the Education Professions Development Act which, you will recall, Congress passed last year for the purpose of streamlining and consolidating Federal legislation authorizing training for teachers and other education personnel.

But all in all, one must report that the curtailed budget requests, coupled with the unhappy prospect of further trimming by Congress, make for a bleak outlook for Federal support of higher education. In the next year or two, the Federal bounty is not likely to expand to the extent warranted by the increasing financial needs of higher education. The money simply will not be there.

And yet, in the gloom cast by these observations I think we must not overlook some of the brighter prospects embodied in legislation currently before Congress. In this session, Congress will be considering major legislation to extend the Higher Education Facilities Act of 1963, the Higher Education Act of 1965 and the National Defense Education Act. The President has asked for a number of new legislative ideas to be incorporated in a package Higher Education Act.

In spite of the overall emphasis on holding down expenditures on current programs, the President is seeking new authorization for programs which, if now enacted by Congress, can be fully funded in later years. One such proposal merits particular reference this morning because it has special relevance to small private colleges.

NETWORKS FOR KNOWLEDGE

This proposal, the so-called "Networks for Knowledge" title of the bill, emphasizes the need of our institutions of higher education to pool their resources. This program is designed to encourage colleges and universities to share facilities and to join in co-operative arrangements. Federal grants under the proposed new title VIII will be available for planning and arranging for sharing of curricular material, for developing systems for processing student and financial records, for joint use of facilities and for the use of electronic computer networks.

In my judgment, such Federal assistance would provide extra force for the movement already evident in higher education across the country for developing cooperative arrangements among institutions.

Let me here discuss a bill which I sponsored, the International Education Act of 1966. Some of you have indicated your interest in this legislation, but as you know, not a penny as yet has been appropriated. But at least, there has been a useful by-product, for the planning process initiated by passage of the International Education Act has caused many colleges and universities to inventory their own international education resources in terms of faculty, libraries, and students.

I would like to cite one other proposal that Congress is considering a bill that would consolidate into one authorization, the National Defense Student Loan, the college work study, the educational opportunity grant, and the guaranteed loan programs.

Now, having shared with you my observations about current congressional business, let me turn especially to the problems of small private colleges, for the high cost of education, the large growth of tax-supported universities, and the increasing demands of society upon our colleges and universities have combined to keep the small private col-

leges fearful of the future and unsure of their mission.

I know full well that increased support by the Federal Government of higher education has gone chiefly to public and private universities with large graduate facilities, especially in the sciences and engineering. Both my own observations as a member of the House Committee on Education and Labor and the correspondence with the Office of Education that was initiated by Congressman Culver on behalf of small colleges in his own congressional district reflect this fact. Simply stated, Federal funds have gone principally to those institutions performing contract research for the Federal Government.

Conversely, there is a relative lack of major Federal financial aid to private colleges or public community colleges. The point is not so much that Congress has been discriminating in favor of public as against private institutions. Rather, Congress has been favoring large universities to the detriment of small colleges. The University of Notre Dame, for example, is a sizable private university and has enjoyed substantial Federal support.

STATE ASSISTANCE TO PRIVATE COLLEGES

Let us consider for a moment the possibility of help from State funds. In the New York Times a few days ago there was a report on a speech by the president of Hamilton College in Hamilton, New York. And what he said then anyone of you in this room might have said to me:

"The private liberal arts colleges are in a real bind, they are struggling to maintain competitive salary levels. Hamilton is well above average, but our rate of improvement is not rapid enough. We are outgrowing our library into a building across the street. The eventual solution to financial problems of Hamilton and other liberal arts colleges must be in the form of increased public funds, not only Federal, but also State."

I saw a newspaper story the other day in a paper published in East Dubuque in which the headline read, "Meeting Hears Life or Death Plea of Iowa's Colleges and Universities; Must Receive State Financial Assistance or Gradually Disappear." You are all familiar, I am sure, with the contents of that article.

And then I noticed what happened in the State of New York only a few days ago. A select committee on the future of private and independent institutions of higher education of New York State was appointed by Governor Rockefeller. McGeorge Bundy was its chairman. On the 31st of January of this year, the Bundy panel recommended that New York State begin an annual program of assistance to most of the State's 143 independent institutions of higher education with about \$33 million in unrestricted aid in the year 1970, including aid to church-related institutions. Now, State aid to private colleges is still an unsolved problem in the State of New York, especially aid to church-related institutions.

As you know, Congress provides in the Higher Education Facilities Act that grants may be made to both church-related private institutions as well as public institutions. This was not a principal problem in Congress in the passage of the 1963 act. But, I dare say, you still have church-state problems in many States, and I imagine that you have that problem here in Iowa.

I have also noted some of the suggestions made by your Iowa Association of Private Colleges in calling upon your State legislature to provide some assistance. Let me make a general observation that is perhaps in the nature of a warning. I believe that it is especially important that the small private colleges and the large public universities do not become embroiled in disputes with each other here in Iowa or elsewhere. So manifold are the opportunities and so urgent is the need for first class college and university

education in our country that there must be cooperation rather than strife on the part of all concerned with higher education, small colleges and large, private universities and public.

If you will allow me to speak with great candor, I have read some of the language that was contained in a memorandum entitled, "Legislative Information," that was prepared by the Iowa Association of Private Colleges and Universities. If I am stepping on somebody's toes, that is my nature and you will have to forgive me. But I was frankly a little distressed to see the way in which the author of this memorandum felt compelled to make a case for small private colleges. Here is his phrase, "They could help to prevent a State monopoly in higher education of pattern and thought control." Quite honestly, I don't think that kind of observation is really helpful to an understanding of your dilemma, because that kind of rhetoric suggests that private colleges mean no "thought control" and that public universities do. This of course is just not true.

My point is this: If private colleges in Iowa expend all of their energies fighting with the State universities, I think you are travelling down the wrong road. We all have a common stake in this enterprise of higher education, and I think a State like Iowa, where there exists such a strong fabric of small private colleges as well as strong publicly supported universities, affords an extraordinary opportunity to develop strong patterns of cooperation among all sectors of higher education.

Now I fully understand that simply advocating cooperation doesn't solve a lot of problems. I am urging something more, namely that you conduct this dialogue with the large, public institutions in a way that makes clear that fundamentally both Iowa's public universities and private colleges are on the same side—the side of educating the young people of Iowa and of our Nation.

AN APPROPRIATE TIME FOR REASSESSMENT

It seems to me that this is a good time for reassessing the role of the small private colleges in the United States. I am glad to report to you that one major reassessment is underway. This study will be published in the fall; I believe, the book will be entitled "Struggle and Promise: A Future for Colleges." I participated in some of the discussions related to this study, and I want to share with you some of the recommendations this study makes. They are recommendations which I support, and I think they are directly relevant to your responsibilities.

Before I list several of these recommendations, let me state first my strong conviction that small private colleges make an indispensable contribution to the diversity and competition essential to a strong system of higher education in America. I think that the enterprise in which you are engaged is an essential one, and I for one want to see that enterprise strengthened rather than weakened.

Having said that, I want next to say that the future of small private colleges in America will largely depend on their capacity to carve out distinctive roles for themselves. Perhaps their purposes will need to be changed significantly, or at least clarified, if private colleges are to avoid becoming obsolete while the great public universities forge ahead. Let me therefore, offer a few recommendations for the future that I hope you will consider.

First, I believe that small colleges should establish links with a variety of other institutions in ways that will enhance the educational opportunities of their students. For example, small private colleges could collaborate with a large university in the United States or in another country, or with a major research institute, or with a local school system. You probably cannot do all of those things. You must therefore take great care to decide what it is you can do best and what it is that you have no business doing.

I would like to suggest a concrete example. I have in mind international studies and the provisions of the International Education Act of 1966. In Indiana there are also many small private colleges. I wonder to what extent those institutions are really aware of the resources in international studies of the universities in Indiana. Do they know, I wonder, what Notre Dame or Indiana University have in the way of international activities and studies?

It might well be that cooperative arrangements could be worked out whereby a small college is not simply wired into another small college rather a small college could establish a link with a large university such an arrangement would be conducive to the strength of both institutions. So, inter-institutional cooperation is one goal with which small colleges should be concerned, cooperation not just among colleges or even between colleges and universities, but cooperation with research institutes and local school districts as well.

THE SMALL COLLEGE: A NATURAL INNOVATOR

Second, I believe that small colleges must not shy from innovations in curriculum and teaching methods, rather, small colleges should be the principal generators of new ideas for American higher education. You glory in your freedom, then why not use it? Why not be the reservoirs of creativity and imagination in the American educational system? You may have a greater opportunity to experiment because you are responsible to private boards of trustees.

By contrast, publicly supported institutions, which of course, use tax money, may feel more inhibited about certain kinds of undertakings. Let's see more ideas originated by the 29 private colleges in the State of Iowa, ideas that can be helpful to the State universities of Iowa and ideas that can be useful to public higher education in general.

Third, I believe that small colleges should strengthen their undergraduate instruction through more faculty exchanges, visiting scholars, enabling their students temporarily to study elsewhere, and through increased field work opportunities. I know that it is easy for the faculty of a small college to become inbred and to fail to look outward. But if you are to be 20th century institutions, your faculties must have their eyes open to what is taking place in the world at large.

I remember speaking at Earlham College in Indiana last year and attending a dinner that night to which was invited every member of the Earlham College faculty who had ever taught abroad or studied in a foreign country. Nearly the entire faculty came to that dinner. Now that is really impressive: it is precisely the kind of orientation I am talking about.

A fourth recommendation: I believe that small colleges should welcome students from more diverse backgrounds than they have in the past. I particularly have in mind minority group students such as Negroes and Puerto Ricans. There are many small colleges in the Midwest with student bodies drawn almost exclusively from middle class or upper middle class white families. Often very few if any Negro students or very poor students enroll.

By enrolling a student body drawn from one class, these colleges not only deny the opportunity for a good education to many young people of talent, but these practices also impoverish the educational experience of the advantaged students who comprise virtually the entire student body. I feel strongly that you have not only the opportunity but the obligation to reach out actively and to seek to broaden the kind of student body you have.

I believe, then, that the mounting pressure on small private colleges bring not only peril, but, if properly approached, promise as well.

One very critical determinant will be the future availability of federal assistance to

colleges and universities. I refer to the common expectation that as soon as the war is over in Vietnam, billions of dollars will be diverted to meet urgent domestic problems, including adequate funds for colleges and universities, schools, hospitals, research and all the rest. In my opinion this optimistic expectation is dangerous, for history reminds us that when war ends, very often a formidable public pressure demands tax reductions. More likely than not, congressmen, being elected representatives, will be receptive to the cries of their constituents for a lighter tax burden.

You all know what a rich country ours is. We are incredibly wealthy. Yet you are all also aware that we don't invest enough in what the economists call the public sector. I want to predict to you right now that once Vietnam is behind us—hoping that day will not be far off—the needs of education at all levels in our country will be generally by-passed unless you, the leaders of the education community in Iowa and in every State in the Nation, carefully plan and execute a program designed to focus attention on the mounting necessities of education.

As McGeorge Bundy said to the American Council on Education last October, "You and I may know that the needs of our colleges are more urgent than ever, but to the country as a whole, we have not made our case."

A NATIONAL POLICY FOR HIGHER EDUCATION

A further point I want to discuss is a question that I hope has been running through your minds. I refer to the need to devise an intelligent national policy for higher education. Some educators have suggested that the formulation of a truly comprehensive national policy for education is urgently needed if we are to meet the needs of small private colleges as well as institutions representing other parts of higher education.

We ought to give very careful consideration to this issue of whether we should develop a comprehensive national policy, and, if so, how we should go about it. Should we continue to turn our backs on the traditional pattern of sporadic response to various crises in education by the executive branch and by Congress? Or, should we look down the road and plan intelligently for the future?

Should a committee or a panel be created at the highest levels of Government? To whom should such a panel be responsible? How should the committee be appointed?

The point I am making here is that small private colleges can get lost in the shuffle unless they have an opportunity to express themselves where the critical decisions are going to be made. And, as I have already suggested, the Federal Government will likely be playing a larger role in general support for higher education.

As I conclude, let me emphasize that the question of how small private colleges can best meet the cost of providing high quality education is a question that must vitally concern all persons with any responsibility for formulating education policies. You as presidents and leaders of small private colleges obviously must be involved. But the problems of small private colleges must be placed high on the agenda of State legislators and Governors as well, as Congressmen and other Federal officials, of the administrators of the private foundations and of State university presidents. For I think that all of us would agree that the goal we pursue is a healthy network of colleges and universities of every kind—large and small—public and private. America and, indeed, our entire civilization, cannot afford to settle for less.

"WHAT IDEAS DOES FEDERAL SUPPORT ENCOURAGE?"

(Remarks of Dr. Peter S. Mousolite)

Ladies and Gentlemen: It is a pleasure and privilege to be with you today. Cedar Rapids is my home and always shall be. My debt to this fair city is great. The purpose of my be-

ing with you—to discuss ways and means by which the colleges in this area can continue offering their services to this nation is an opportunity I look forward to. I owe so much to my years of experience at Macalester College and several public universities.

May I add that my acquaintance with the Honorable John Culver began last night. Hearing what he has to say on education matters leads me to state that you have an outstanding representative in the U.S. Congress. Keep him close to your hearts.

I must add, also, that the Indiana Congressman, the Honorable John Brademas, in his remarkable, sensitive, keynote address this morning has demonstrated his usual excellent versatility. He not only is knowledgeable in all areas of education but verbal and articulate.

You and I, as educators and citizens, must be proud to have such distinguished men of high caliber involved in what is our life's work and its great impact on our nation. We should feel confident that matters are in good hands.

The liberal arts colleges over the years have made unique and valuable contributions to American Society. It is no exaggeration to say that if they did not exist they would have to be invented.

We praise diversity in our nation as well we should. A nation that spreadeagles a continent can afford great waste, if only to avoid greater waste that would come with uniformity. But even as we sing the praises of diversity, we must acknowledge the need for linkages that encourage cooperation. And it is on this front that your institutions and others of like vintage make significant contributions to a stronger society and serve as an example to our educational system.

Today the need for what the liberal arts college stands for is urgent, imminent and great. Whirling about America's campuses there are revolutionary dogmas which extol violent means to achieve ends believed sanctified by universal human aspirations. Their ivy-colored walls seem no longer tall enough to still the anguished cries against social injustice and past exploitations. To some these are troubled days of doubt and frustrations, of uncertainty and indecision while others experience unique opportunities for intellectual growth and individual identity. To me and I would hope to you, this is a most exciting era in which to test the promises of the past against the realities of the present, in which to strengthen barriers against irrationality, fear and superstition.

Most of all, this is an age in which we must be candid with our country's youth. Let us tell them we have made progress but that we are only at the beginning of a tragically long struggle for sharing human dignity with all mankind; that there are no simple solutions to solve the fantastically complex problems of war and peace, of poverty and tyranny, of integrity and greed; that the human situation will continue to remain poised in a precarious balance between opportunity and disaster, justice and injustice; and, above all, that the vision of a more decent tomorrow depends for its realization on the painfully small contributions daily rendered by each one of us.

The harbingers of doom that forecast extinction for the liberal arts college are mistaken. We must look for new directions to be taken. This will require individual and cooperative efforts—painful perhaps but exciting as well—to examine many so called inviolable fundamentals of your institutions. Fundamentals that have gone unquestioned for so long that they have hardened to the inflexibility of "myths." They should be discussed at length. Pertinent and impertinent questions should be asked about them—not with the thought they should all be punctured and discarded, but with the conviction that your most cherished beliefs will stand stronger for argument; that worthy dogmas

will become still worthier after critical observations.

I am referring to a rigorous look at the four year baccalaureate, the major, the standard curriculum, the small class, the unit or grade, the calendar, the teacher, the student, the trustee, teaching versus research or should we say teaching and research, counseling, construction of buildings, fiscal management, use of hardware specifically the computer, admissions, city ghettos, rural poverty and isolation and yes such community problems as housing, law enforcement, juvenile delinquency, transportation, air pollution, water pollution, rats, jobs and job training and retraining, meaningful programs for under-educated adults as well as dropouts and "monosyllabic preschoolers" and perhaps finally the ideal of giving every citizen that can profit from it—an equal opportunity to an education enabling him to reach the zenith of his potential.

In speaking of American education—2 points must be made clear—one—revolution or unrest in American education is not new. The student of a history of education can state with some validity that the present unrest may be traced back to Athens when it made its appearance toward the end of the Peloponnesian War and thereafter when Aristophanes made it the basis of one of his comedies. It continued in the first century of the Roman Republic when Tacitus, Seneca, and Petronius criticized the practices of their day; we see it again in the period of the Renaissance, in the 17th century when the early scientists saw the hope of a new world shaped by science; in the 18th and 19th centuries when the humanistic schools and the new academies devoted to instruction in the sciences fought tooth and nail until the equivalence of all subjects of instruction was recognized. The unrest on what to teach was paralleled by continued unrest on how to teach until a synthesis between the two aspects of the educative process was found in the contributions which began to come from psychology, "The Black Art," as Stephen Leacock called it, toward the end of the 19th century and beginning of the 20th.

The influence of Dewey and his followers is well known to us as is that of the critics Bestor, Rickover and others following the ascent of the first Russian Sputnik—that "aggravating cinder" in the eyes of the American citizenry.

The second point has reference to criticism of American education. I harbor no great criticism on my part. Its contributions the past 50 years or so are well known to me. As a son of immigrant parents I am proud to be considered one of its products during the era of the "Melting Pot." I know that American education is unique in its democratic heritage and emphases. As Henry Steele Commager stated, "It has shaped the hearts and minds of the American people. It has given momentum to our heralded inventiveness and resourcefulness; to our technological achievements and economic well being; to our standard of living which is the envy of the world; to our social unity, political order, and stability. It has contributed immeasurably to our growth—intellectual, moral and spiritual." In so doing it has made teaching "the most noble and arduous of all professions" as the distinguished George Counts has so aptly stated. But what is facing us will require renewed efforts for many of our problems are not isolated—nor will they be solved as Dr. James Allen, Chief State School Officer of the State of New York, stated recently—"by using the same old formulae."

What we are witnessing is a major shift in the whole complex of relationships—relationships of different levels of educators to each other and relationships between educators and other groups. (1) The increasing impact of the Federal government and new Federal-state-local relationships; (2) the emergence of a "new" establishment and its

quarrel with the "old" establishment; (3) increasing cooperation between all levels of education—between colleges and elementary and secondary schools, between groups of public schools, and between public and private schools; (4) the changing role of the teacher and the professor in establishing educational policy. Along with these major shifts we have the problems of integration, financing education, the impact of technology, curriculum changes, better use of the school plant, increasing public understanding of the function of education to win broader support from many more citizens.

This array of challenges is formidable but the long view of our history tells us that we must take courage from our past, our heritage. We must continue with renewed efforts and faith to foster and promote the spirit of education that has been so successful in the past and will most assuredly bring continued success and, that is, to quote the Connecticut born educator, Edward D. Mansfield, "an education that has all the characteristics of the American mind; fresh, original, vigorous, enterprising; embarrassed by no artificial barriers, and looking to a final conquest over the obstacles to the progress of human improvement."

Most of our efforts in solving these challenges are directed at the "nuts and bolts" requisites of our responsibilities. This time-consuming yet vital and necessary task leaves little or no time for thought and action on basic problems of the human condition—problems of spirit, value and attitude. All of us—you at the local and state levels and those of us in the Federal government—are called leaders in education. We have many and varied functions. We must manage our offices well. We must supervise our staffs in good manner. We must carry out our program responsibilities. However, if we are truly leaders—then we must conceive our task also, and basically working in concert—as the nurturing of whole persons of broad vision, humane sensibilities, and great hearts.

The idea of mass education was implied centuries ago when the Greek philosopher, Epictetus, recalling the fall of Athenian democracy because only the few were educated stated, "The State says only free men will be educated. God says only educated men will be free." Across the span of time to only a few years ago, Dr. George Counts, the distinguished educator-philosopher, restated this premise by using the words of a Norwegian national song, "Every child's soul we unfold is another province added to our country."

The new era of mass education was previewed nearly a decade ago by the President's Committee on Education Beyond the High School. It is worth saying that mass education comes about not by the arguments of theorists, but by the choices of the American people. The new generation have "voted with their feet." They have swarmed in unprecedented numbers into any institution that opened its doors to the new wave. Our lot is not to wring our hands, but to fashion a system of variety and high quality to match the rising expectations of this new generation. This is the task facing us.

Most of us believe strongly in expanding educational opportunity. It is part of the conventional rhetoric. But public affirmation hides private skepticism. Some of us are elitists at heart. We look with private anguish upon the so-called "lowering of standards, upon watered down courses, upon students that in no way fit our stereotype of how a student looks, talks and behaves." As a consequence, we embrace the rhetoric of "excellence," and speak of high admissions standards, greater selectivity, more rigorous discipline, the true liberal arts, and the like. Some of us, happily few in number, are willing to consign large numbers of students to institutions and programs that we regard as

educational wastelands. In short, we embrace a revolution timidly, even fearfully.

It is time that we decide where we stand. What is our view of the learning capacity of every man? What about that high school dropout, and even the college dropout? What about the lower third or lower half of the high school graduating class?

It is time we faced up to the tough questions. What can be done to minimize the talent drain? How can education beyond the high school be structured and organized to attract the right students to the right programs in the right institutions? How can we invent new programs, new institutions, new ways of sharing faculty, facilities, and even ideas?

These are questions as relevant to rural America as to urban America. Rural America that is still troubled with too many one room school houses, uncertified teachers, and where we find too many disadvantaged youth unable to finish high school and go on with their education for many reasons.

Such questions seem to me to have special force and poignancy against the backdrop of the cities. It is the city that shapes the American style of life—in architecture, art, dress, manners, and civic performance. It is here in the ghettos and in the decaying city centers that American education is at its worst. It is here, in the great metropolitan centers, that the battles for innovation, experiment, and progress must be fought. Moreover, the city is a natural unit for planning. Here public and private, secondary and post secondary institutions co-exist in close proximity. No geographical constraints limit efforts at inter-institutional cooperation.

However, our much praised pluralistic educational system is not doing the job. There is not sufficient variety in types of institutions. Colleges and universities stand apart from one another; their instinct is isolationist. They do relatively little in sharing specialized libraries, or laboratories or faculty. The American educational system, for all its inventiveness and flexibility, has yet to provide the rich array of educational options that the times require. There is not yet the variety of offerings that match the variety and talent and promise in our society.

May I respectfully suggest that in your deliberations you may wish to consider some of the following suggestions of a cooperative nature. (Dr. Harold Enarson, President of Cleveland State University, presented some of these ideas in a speech to the College Entrance Examination Board Regional Meeting some time ago in Chicago. I am indebted to this highly articulate, imaginative and forward looking colleague for not only the substance of the ideas but wording as well.) No major city should be without a voluntary council for post high school education. Here as in health, transportation, and land use planning, it is the metropolitan area that serves as the logical focus for planning. The first task of such a "Metro-Council" is to take inventory, both of needs and resources. A data bank should be created and updated continuously. It should permit the institutions to plan ahead, and to anticipate problems rather than respond by reflex action to crisis situations. It should conduct manpower studies, as for example in the allied health professions, an area where the lag between the public need and the institutional response has been most conspicuous. It should also contrive ways to which institutions in the same metropolitan area could share specialized library resources, jointly fund high cost scientific hardware, and share time on a computer facility that would be beyond the reach of each institution acting alone.

Let us consider another area most pertinent to the deliberations of this conference—guidance programs and counseling. This area of endeavor is performing under duress.

There is a shortage of counselors. Many are over worked, not too well trained, and some not doing the work of their profession. As a former Dean of Students, immersed in the guidance and counseling processes, I say that we are astonishingly casual about the process by which persons select institutions, programs, and careers. I should like to see the cities experiment with what I call, for want of a better name, "Opportunity Centers", e.g. centers for testing, counseling, and guidance open to persons of all ages. Just as the public employment services try to match skills and jobs, so the opportunity centers should provide, at public expense, professional advice designed to match talent and promise with the right educational opportunity. Such a service would open its doors wide to the housewife, and professional person, and the entering freshman—all of whom can profit from expert counsel. More skillful counseling about training and jobs and careers will mean little unless at the same time there is a greater variety of offerings, especially those that will appeal to those from lower socio-economic backgrounds.

What about adult education? The city must be the university and the need to renew skills as well as to renew the human spirit makes continuing education the great new imperative of our age. As a former dean of adult education I think it is fair to say that the public believes in adult education—but not quite enough to pay for it. In the competition for funds, education for adults definitely runs a poor second. In the university world, adults are second class citizens—unless they have dollars and prerequisites jangling in their pockets. Perhaps this is true because priority is given to young people. But surely this is not the whole story. The university community of scholars is a bit stuffy about adult education. We distrust it instinctively, perhaps because adults are less tolerant of the conventional wisdom, more insistent that learning be relevant—either to jobs or to the human conditions. It is openness and flexibility that are needed.

Adult education is a concept whose vitality and promise must be restored. Why? Simply because through adult education in the broadest meaning of the term, we are more apt to be able to live healthy, socially useful, and personally satisfying lives, because man, by his very nature, was intended by his Creator to be capable of living a significant life and to be creative; because the world will be a better place in which to live as men have the opportunities, make use of them, for thinking, communicating, creating, and living together in harmony and peace.

Now these suggestions will have real meaning and relevance to society only if our citizens, particularly those of the lower socio-economic group, can be reached. We have too long expected these citizens to come to us—where we are. But this is not happening. Therefore we must go to them. In a vital area of how to finance education we are not getting to those living in the ghettos, despite our modern means of communication. The OE has a massive program of financial aids but we find in many areas that even the counselor is not aware of such aids let alone the deprived, disadvantaged citizen. May I suggest that we emulate the English Minstrel, the French Jongleur, the Spanish Trobadore, the Chautauqua enterprise so popular not so many years ago, the steamboats that piled their way up and down the "Father of Waters." All of these were media of communication and were eagerly awaited by citizens in isolated communities for entertainment and information purposes. More recently we have had ample evidence of getting library resources to rural areas by the mobile unit device. Similarly, mobile units containing foreign language laboratories were well received by schools in rural and isolated communities.

We need such mobile units that will go to the heart of the ghettos. Our youth will see

and hear first hand of opportunities available to return to school if they have dropped out or to continue their education beyond high school. In addition to material resources the mobile units will be occupied by counselors, admissions officers and financial aids officer, young people—peers of those in our target areas—who have succeeded in surmounting common obstacles, representatives of business and industry who will tell of opportunities available to college graduates, etc. This personal confrontation will need the backing of schools, colleges and agencies of the community.

It is my hope that this conference may bring about specific ways and means to help the individual develop his potential. We have too long talked of the moral obligation to innovate. We are on the "Edge of the Chair." The time for action is now. It is the American city that produces students in floodtide in search of opportunity beyond the high school. It is the American city in crisis—with its deepening anguish over slums and racial violence and joblessness—that forces us to come to grips with the opportunity crisis. The crisis of the cities is the domestic problem of our time, and we shall have neither tranquillity, dignity nor decency, nor safety in street or home unless we expand the opportunity to participate in the American economy and the American dream. It is that simple, that complex and that demanding.

It is time that we use some of our administrative energy to express a concern over the lack of inspirational teaching rather than placing it all on physical expansion. Do we really mean it when we say that teaching is the "most noble and arduous" of all callings? Teachers should teach students who are not alive, *how to come alive*; they should teach students who are alive, *how to think*; and they should teach students who can think, *how to live*. In the process they should keep in mind the Emersonian adage—"What you are speaks so loudly, I cannot hear what you say." For those who do not fit such thinking—should we not ask them to pay rent for the space they occupy so indifferently in front of their students?

It is time that we express concern over the climate of an institution and the values it has (or does not have), and instills (or does not instill), not by a program but by its existence.

It is time that subject matter also be taught in a way that has relevance to society's present and future needs. To paraphrase Christopher Jenks, colleges are organized on the assumption that the good life is in fact the academic life. The student often experiences "literature courses which treat novels in terms of form and style rather than substance; philosophy courses which talk about work games and mathematical puzzles rather than ethics, suffering and death; political science courses in which social justice is never mentioned; economics courses in which computer analysis has precedence over hunger, poverty and human irrationality; sociology courses which explain why the world is the way it is but say little or nothing about how it might be changed for the better".

It is time for the graduate schools to rejuvenate themselves or, at least become more flexible if we believe what we read—*The Immutability Ph. D.* by Walters; *The Lingering Ph. D.* by Neff; *The Shame of Our Graduate Schools* by Arrowsmith. Less and less time to acquire the Ph. D. More and more emphasis on the thesis. Are we forgetting that the basic purpose of training for the doctorate is to turn out alert intellectuals, not merely to produce scholarly works? The thesis once done by somebody, remains more or less just a contribution to the Ph. D., and I would suggest that the value of its pseudo-scholarly qualities is limited by and large to its use by a few specialists. But to send out of the university trained men of high scholarly capacity, of living, creating minds, of perspective and understanding is to do something

which is of the highest direct value for the whole educational process in our country and in our age.

It is time that a college or university frankly admit not only to the goal of intellectual excellence in the academic sense, but to a set of ideals that hopefully will be firmly planted in the hearts and minds of seniors as they leave the campus. The world in which they will live may not be completely ready to accept these ideals, but without impertinence we should say "It is so much the worse for the world."

A college should state that: *First*, on its campus everybody counts for one, no religious prejudice, no racial discriminations, no nationalistic barriers, no petty, divisive groups, simply a wide circle of friends; *second*, the curriculum is centered around the concept of the wise and good individual, deeply rooted in the traditions, the culture and the history of western civilization; *third*, within every major department, there are vocational outlets, careers for which youth is encouraged to prepare on the theory that all work is worthy and all learning is essentially one; *fourth*, is the ideal of the community where each one lives for the other and all for God and His Coming Kingdom. A community where enough young people think of themselves as the servants of the common good is bound to be a better community than one in which young people climb over the backs of others to obtain so-called success; *fifth*, is world mindedness, which leads youth to recognize that their world is not the divided world of their fathers, but one world which requires the acceptance and understanding of many nations and many ways of life; *sixth*, is the principle that to achieve these ends in the world there must be in the hearts of those who would serve mankind humility and courage and patience and love that can come only in and through a truly religious spirit.

It is time that education in a free society give ample room to the constructive impulses and the uninhibited ideas of *informed* and *intelligent* youth. If they are not informed and intelligent, it is up to us to make them so and in the process become more informed and intelligent ourselves. It is important for us to listen to our youth, to recognize what they say as they go through their own world, to understand what it is they are beginning to believe about themselves, to know what is the particular truth of their generation. We who wish to teach well and to form new programs of education appropriate to the young we are teaching are well advised to listen, as we listen to music, to the generation as it tries to tell us what it is and what are its private truths. We must listen to the total orchestration of the community of the young and to the individual voices which speak with different sounds.

Most of our youth are dedicated, they are thoughtful, they are impatient (for which we should be grateful). They most certainly are concerned about their individual and collective futures beyond the academic life, but I add there is ample evidence that they are concerned about humanity and what is most important they are doing something positive and constructive. In short, they are dynamic young people of high quality on whose good sense and intelligence our future depends. This is the great hope of our times.

The college students of America in the second half of this the twentieth century may be the group that will turn the course of history for the next one thousand years. The reason I make this seemingly extravagant statement is that America must quickly decide whether it will continue to go forward as one of the champions of the rights of mankind or whether it will pull in its crusading ideas and substitute safety for adventure, materialism for idealism, and conformity for freedom. Many Americans, especially old ones, favor these substitutes. But

young America has never surrendered its long high dreams of liberty and justice for all people, and I see no reason why American college youth in 1967 should make that surrender and commit that apostasy.

In short, on the college campus of this period the battle for the ancient liberties may be won again, and having been won there, these liberties may yet be established in the dark recesses of our American civilization and out to the farthest corners of the world.

I have high hopes that from the thousands of campuses will come our leaders who will take their places in the local, state, national and international arenas where vital issues are being discussed—young men and women who will dedicate their lives to the ideals and principles of our past and present leaders that have made our nation great—(1) love and God, (2) love of freedom coupled with a readiness to accept the responsibilities of freedom, and (3) a disposition to put honor and integrity above every personal consideration, (4) patience and a capacity for suffering in a good cause, (5) courage in struggle, (6) perseverance in adversity, (7) magnanimity in victory, (8) in everything, a kind of selflessness that keeps first things first.

Peter Drucker, some months ago, stated, "Now that we have a national commitment to education in quantity for everyone, what we need is a national commitment to our educational values, purpose—our goals and objectives."

The time has come to take a look at our values. We must ask ourselves in all soberness, what are the moral and spiritual foundations of a democratic society? This means that we must strive with sure vision to cultivate in the young at all levels of their education the morality, the loyalties, and the understandings of free men. Moreover, we must strive to develop not only a deep love of freedom, but also a sense of concern regarding the future of liberty and a readiness to discharge all the responsibilities of citizenship in a free society. It is at this point that the distinctive quality of our education must show itself. And it is at this point also that our education manifests one of its most serious weaknesses.

Today we are prone to criticize and question our nation and our way of life. This is an activity which is our privilege. However, on occasion, and the occasions are becoming too frequent, statements concerning the future of our nation are so cynical, so hopeless, so despairing, so moribund that "what we need"—to quote Oliver Wendell Holmes—"is less inquiry into the abstruse and more thought about the obvious."

Several years ago on July 4, Mr. Herbert Hoover, our 31st President, addressed a large audience assembled at the Brussels World's Fair. As President Eisenhower's special representative, he spoke on those ideals which have made this nation great and give promise of an even greater and glorious future. Filled with great pride and faith in his country and fellow Americans, he reminded everyone that the "United States and its citizens are decent, orderly, compassionate and peaceful." "The ideals in a nation," he stated, "do not spring along from their method of government. They spring from the depths of their religious faith, from their pride of country, from their trials, from their glorious victories and from their memories of their great leaders. At my time of life and because of my experience with many nations, I know that far more vital than even economic blessings are the spiritual and moral impulses and ideals which motivate the lives of people."

Concerning the dignity and worth of the individual, Mr. Hoover continued, "We must unceasingly strive by all peaceful means to make the world safe for representative government from which alone can come respect for your dignity as men and women, your

flowering as individuals, your right to a rising chance in life, to self-expression and to security from sodden uniformity."

America is recognized for its achievements in business, industry, technology and possessing the highest standard of living in the world. It is given greater recognition for its concern and care of the aged, needy, the sick and the helpless, for as Mr. Hoover concluded, in giving reasons for his pride in his country's ideals, "I must include the spirit of compassion toward suffering humanity. It spreads from every American home to all mankind."

Dr. John Gardner, Secretary of HEW, has reaffirmed the words of President Hoover by stating, "No one can say that we moved with impetuous haste toward the idea of the worth and integrity of the individual. *But we have moved.* In fact, the idea has gained an increasingly powerful grip on the American mind. The consequences are uncomfortable, as we reflect on how we treat some of our fellow Americans, but we cling to the idea of fulfillment of the individual because it expresses with incomparable clarity what this country is about."

Given that fact, we have been driven to an increasingly serious, increasingly painful re-examination of our society—and this has been very, very good for us. We have begun to explore energetically, seriously, sympathetically, the conditions—all the conditions—that prevent people from achieving their full potential."

As we strive to do away with all forms of injustice, our efforts possess the same great themes: The release of human potential, the enhancement of individual dignity, the liberation of human spirit for as Dr. Gardner concluded in his remarks, "These themes ought to be regarded as the heart of the American commitment, the heart of what holds our nation together and gives it meaning."

So, my dear friends, when we begin to lose faith in our nation, when we begin to entertain doubts as to the path it has taken and criticize its leaders as we should and must, let us pause for a moment and look about us, seeking the greatness that has made it what it is today. In doing so, we will encounter a splendid spirit that lifts a light above the times and glows not less but more in being reflected against the special needs of particular moments. We will encounter an inspiring, balanced blending of Christian-Judaic idealism and commonsense, of glowing optimism and candid realism, of world-minded citizenship and patriotic Americanism, of faith in reason and confidence in the common man, of devotion to law and dedication to democracy, of spiritual objectives and practical adjustment, of abiding values and progressive advance.

We are people striving for a world that will have no lines established by small, petty, divisive groups or cliques. We look with confidence beyond the clouds of atomic explosions toward the day when the nations of the world shall be truly the family of mankind and all men shall be at peace. Freedom, justice and peace for all must be the elements of our hope. Our loyalty to this must never change, for any reason whatsoever, the purpose to make these ideals prevail.

Thus, we can attain what are America's goals—"A world at peace, a world of freedom, a world in which mankind is lifted above the ancient conditions of poverty, hunger, disease, and ignorance, a world in which men enjoy individual dignity, a world in which every man has the means to understand the mysteries of the universe and to fulfill the potential of his own soul—a world of kindness—and love."

May I respectfully suggest that we take the noble ideals and principles embodied in our most sacred documents "out of mothballs" where we have kept them carefully shielded from contact with the workaday

world. Let us work for them even if "contact with harsh reality occasionally knocks chips off them here and there."

From the beginning the whole of our American experiment has been made up of an "infinite number of aspirations and unremembered bits of heroism, devotion, and hope lodged in the hearts of innumerable separate Americans." When all of these are brought together, the people of a nation go forward—forward to attain "The Promise of America," penned by the distinguished poets, Carl Sandburg and Thomas Wolfe, as a fitting tribute to the future of our nation:

"I see America, not in the setting sun of a black night of despair ahead of us.

I see America in the crimson light of a rising sun fresh from the burning, creative hand of God.

I see great days ahead, great days possible to men and women of will and vision."

"So, then, to every man his chance, to every man, regardless of birth, his shining, golden opportunity.

To every man the right to live, to work, to be himself, and to become whatever thing his manhood and his vision combined to make him.

This, seeker, is the promise of America."

Mr. MIZE. Mr. Chairman, because of longstanding commitments in the State of Kansas it will be necessary for me to be absent from the House floor at the time of the debate and the vote on H.R. 16729, the bill to provide for the extension of higher education student assistance programs.

I have studied the bill and the report and I am in agreement with the extension of these programs. During my tenure in Congress, I have become acquainted with the success of the student loan program under the National Defense Education Act and the work-study program of the Economic Opportunity Act. I voted for the Higher Education Act of 1965 and I am familiar with the assistance provided under the educational opportunity grant program and the guaranteed student loan program. I support the extensions of these aid features as provided for in this bill.

What we are doing is helping every qualified student who wants to advance his education, the opportunity to do so. Over and above this, we are also assisting the colleges and universities in broadening their programs to reach more students and continue their operations.

Our fine educational institutions in Kansas participate in the programs and the college administrators of the institutions in the Second District of Kansas tell me that it is vitally important to not only continue these programs but to explore additional ways of providing assistance to more students.

It is obvious that the Congress has recognized its obligation to be of assistance in these areas and with the extension of these proven programs, consideration will be given to sound proposals for developing a broader base for help to the increasing number of college students.

Mr. Chairman, I announce my support for the bill as unanimously reported by the Education and Labor Committee.

Mr. BOLAND. Mr. Chairman, I rise to state my strong support for H.R. 16729 and to urge its immediate consideration. The intent of the bill is to extend several very important programs of student

financial assistance and to make certain amendments increasing their efficiency and flexibility. I would like to recall some remarks made by our late President Kennedy which seem so appropriate regarding this legislation. In a 1963 education message he noted that:

Our present American educational system was founded on the principle that opportunity for education in this country should be available to all, not merely to those who have the ability to pay. Now a veritable tidal wave of students is advancing inexorably on our institutions of higher education, where the annual costs per student are several times as high as the cost of a high school education, and where these costs must be borne in large part by the student or his parents. The future of these young people and the Nation rests in large part on their access to college. For this country reserves its highest honors for only one kind of aristocracy—that which the Founding Fathers called an aristocracy of achievement arising out of a democracy of opportunity.

I think that we must continue unrelentingly to strive for a genuine democracy of opportunity. We have made an admirable beginning.

The National Defense Education Act student loan program has been assisting a limited number of students each year for nearly 10 years. And in 1964 a work-study program was initiated to help stimulate the part-time employment of students who needed earnings to continue their education. In 1965 the Higher Education Act expanded the work-study program and initiated two new ones—a program of scholarships or educational opportunity grants, as the legislation calls them, and a program of guaranteed student loans. The National Vocational Student Loan Insurance Act of 1965 authorizes a similar program for vocational and technical study. But if there is one common limitation to all of these programs it is their supply. According to an analysis of student financial need conducted by Mr. Joseph N. Froomkin, of the Office of Education, approximately \$2 billion in student financial aid was needed for full-time study during the 1966-67 academic year. Only slightly over \$1.2 billion was available, however. How can we measure the loss in human resources because capable and motivated high school youth could not afford the heavy expense of higher education?

It is true that the NDEA loan program, the Higher Education Act student aid programs including work-study, and the vocational loan insurance program have brought postsecondary education within the reach of an unprecedented number of young people. And the success of the programs is verified by the enthusiastic responses they have drawn from administrators, parents and students. We certainly cannot allow these vital programs to expire this June 30.

H.R. 16729 would not only extend the programs for 2 years but would also make several greatly needed changes. Of all the federally assisted programs of student aid none is more suitable for middle income families than the insured loan program. Unfortunately the program has not been as successful as it was hoped it would be. Many banks have been reluctant to participate because the maximum interest rate is 6 percent. The banks

have not found it feasible to make long term student loans at this rate. Testimony presented during Education Subcommittee hearings indicate that a large number of lending institutions do not participate because they cannot expect reasonable returns from their investment. H.R. 16729 would increase the maximum interest rate under the insured loan program to 7 percent, making it more practical for banks to participate. The bill would also authorize \$10 million to be used for additional advances to strengthen the reserve funds of State guaranteed student loan programs. Hopefully these amendments would insure access to a guaranteed student loan program for every student who needs a loan to continue his education.

H.R. 16729 proposes another administrative change which would greatly increase the effectiveness and efficiency of federally assisted student aid programs. The tardy funding of such programs is a problem which has plagued colleges and played havoc with student aid efforts since the NDEA loan program was initiated. The colleges, in attempting to plan and allocate their assistance funds, have not been able to anticipate the amount of Federal support which, in some instances, has not reached them until after the school year has already begun. H.R. 16729 would eliminate that problem by authorizing the appropriation of student aid funds in the fiscal year preceding the fiscal year in which they would be made available. The bill would further provide for the authorization of funds for program planning and evaluation and would require evaluation reports.

Mr. Chairman, student assistance is one of the most valuable and sensible investments we can make in the youth of this Nation. The NDEA student loans, the insured loans, the work study program, and the educational opportunity grants present a flexible package of aid programs which can be tailored to meet the individual needs of students. Last year an estimated 1,175,000 students received assistance under one or more of these programs. I suspect that a large number of these young men and women would not be attending college at all were it not for the Federal assistance provided them. There is no doubt in my mind that we should continue and expand our programs of student financial assistance.

I urge swift passage of H.R. 16729.

Mr. SCHWENGEL. Mr. Chairman, ever since I have been a Member of the Congress, the State legislature, and before that in the teaching profession, I have been vitally interested in the problems of education. I have been keenly sensitive to the fact that there are serious educational problems that need to be met with forthrightly, adequately, and in such a manner that the highest possible quality of education be maintained and extended.

While a member of the Iowa Legislature, it was my privilege to work with the great educational leaders in Iowa. I was an early supporter of State aid, I advocated programs for improvement for teachers and I supported propositions that would increase teacher's salaries and provided for their well being. It was a

part of and a pioneer in the movement to take the superintendent of public instruction out of partisan politics, and to raise the level of quality of education through encouragement of programs that bring greater value and effectiveness to education at the secondary level.

In the area of education beyond high school I worked closely with the President of the State colleges and the late Dr. Virgil Hancher, in particular, to map programs and to help in the development and passage of necessary legislation and to promote financial support to the State institutions.

Since a Member of the Congress, I have followed closely the educational needs and for the most part have supported the sound programs and approaches to attempted solutions but always it seems to me we have been inadequate in meeting the total challenge.

Mr. Chairman, today we are considering H.R. 16729 and I am going to support it in the final vote but with the knowledge that again we are making no real attempt to solve the real total problem for the students nor for the colleges.

One of the problems, Mr. Chairman, and a very serious one, is the problem of inflation in the recent issue of the New York Times.

They show that the average annual all-inclusive cost to a resident student at a private institution of learning was \$1,850 in 1957 and \$2,570 in 1967, and will be an estimated \$3,280 in 1977. They indicate that the average annual cost to a resident student at a public college or university was \$1,260 in 1957 and \$1,640 in 1967, and will be \$2,160 in 1977.

In other words, each school year heralds an inexorable rise of roughly 3 to 5 percent. According to a study by the College Entrance Examination Board, to which over 850 colleges and universities belong, even a student who lives at home and commutes to a tuition-free college can expect to pay approximately \$1,000 a year for books, supplies, fees, transportation and general living expenses.

Statistics such as these cause millions of parents whose incomes are adequate for most ordinary purposes to ask searching questions. One distraught mother wrote her Congressman, Representative CHARLES S. JOELSON, of New Jersey:

My husband and I pay tax on about \$9,000 income. Average middle-class American family. We have two children, a boy and a girl—again, average American family. Now both these children have reached their college years. Both children have above-average ability and potential and will, more than likely, go on to receive their doctorates. Lovely! Something, as parents, we are proud of. But, as parents, how do we pay for it?

How do we pay for it? A plaintive cry heard not only from distraught parents and students but from the educational institutions themselves. They, too, are very much in a financial bind. The crucial matters for both are the population explosion and the changing socio-economic pattern of American society—as well as the rising expectations it reflects.

Forty years ago, only 8 percent of all American families earned more than \$8,000; today their number has quadrupled. Forty years ago, college was a

way station for the well-to-do, with a sprinkling of lower-income students—many from immigrant families—whose parents scrimped and saved to put them through. Today the broad middle class clamors at the university's gates, demanding to be let in, demanding quality education. Result: a bachelor's degree is very nearly an indispensable requirement for even moderate success in job or career, and the pressures of our technological age—as well as the quest for status—are making graduate work increasingly popular.

Though higher education is becoming less a privilege for the wealthy and more a right for everyone, it should be noted that the disadvantaged—despite scholarship and community-action programs designed to help them—are not in college in significant numbers. U.S. Office of Education statistics show that only 4.6 percent of the campus population is Negro. At the moment, for groups with very low incomes, failure to be academically prepared and motivated for college is more of a problem than finding the money to pay for it.

Thus, its clientele drawn primarily from the middle classes, higher education is undergoing its own population explosion. Enrollment swells unchecked, with a 3-million increase in the past decade and a similar one expected in the next. This means more construction, more services, more instructors and spiraling costs, all down the line. Paradoxically, as high as they are, tuition and fees pay a surprisingly low percentage of the total costs. Joseph Froomkin, Assistant Commissioner for Program Planning and Evaluation at the U.S. Office of Education, estimates that, on the average, the student pays only about 20 cents of every dollar it costs to educate him, even if he pays full tuition. This figure may be low, especially for the more expensive private institutions, but Froomkin insists that "college is still a bargain in that only a small percentage is being paid for by the student." It is a point worth making.

In another sense, though, a bargain is a bargain only if one is able to pay for it. To the family making, say, \$10,000 a year before taxes, with two or more children away at college, even a low-cost state university proves exorbitant.

Should parents not have been saving over the years for this contingency? Ideally, yes. But a survey commissioned by the College Entrance Examination Board shows that the majority of families whose sons and daughters will go on to college fail to, or aren't able to, plan adequately ahead. And even if money has been systematically put away for college, the sum frequently turns out to be painfully short of the mark because of unexpected tuition boosts. The same holds true for many insurance plans begun a couple of decades back.

Commonplace among parents who saved for their children's education is the New Jersey couple who years ago put aside \$1,500 for each of their two children, thinking that this would cover most or all expenses. They now maintain both youngsters at private universities at a combined annual cost of \$7,000; family earnings are \$9,500 a year. The

schools are prestigious, the children were readily accepted, the parents wanted their youngsters to take advantage of the opportunity; the family is now saddled with heavy long-term debt.

We didn't really pay much attention to college costs, to the way they were taking big jumps—

Explained the mother in this unremarkable case history—

not till Alan was in his senior year in high school and we had to come face to face with the thing.

It is time that we in the Congress came face to face with the problem of inflation, especially as it relates to education beyond high school.

Mr. Chairman, the real answer to this whole area of education beyond high school is a new and adequate approach to the total problem. We need a plan that will help the students meet the increasing cost and that will help the institutions to adequately prepare for the additional millions of students who will be wanting to go, and who will need to go, to our colleges in the years ahead. After a number of years of research, with the assistance of students, graduate students, college professors, and many other interested persons, I have developed a plan called the Iowa plan. It is called the Iowa plan because most of the basic research and judgments were made in Iowa with the help and counsel and advice of Iowa students, professors, and educational leaders.

Broadly outlined, the Iowa plan consists of three phases. Phase 1 would grant to parents a \$50 tax credit each year for each child until he or she reaches college age, providing that educational certificates are purchased at a bank, approved savings and loan association, insurance company, or some other financial institution. Money set aside in this manner would earn interest and would grow to a fund of \$1,200 to \$1,400 by the time the child entered college. This would provide \$300 to \$350 assistance each year to parents financing their child's education.

Phase 2 would grant a \$200 yearly tax credit to the person sustaining the major burden of a student's expenses while in college. This would raise the total support available to a student to a minimum of \$2,000 over a 4-year period. For those who would find that the \$2,000 is not enough, he may borrow an additional \$1,000 per year more.

Phase 3 would require that a specified percentage of the money set aside for educational investment be used by private banks and other financial institutions for the purpose of loans to educational institutions, and particularly to students who need to borrow money for their education. The management of this revolving fund would be the task of a specially constituted board, which would review the educational needs of the State, and approve loans to students and institutions.

Thus, the Iowa plan assists those who bear the burden of college costs with direct tax credit, and at the same time ample funds are made available to meet the growth needs of the colleges, universities, and vocational schools on very easy terms. Let us examine the plan in

closer detail. The money set aside each year under phase 1 would be deposited in a restricted educational account at any private financial institution meeting the requirement of law. The depositor would receive educational investment certificates valued at \$50 per child per year. The amount of money paid for such certificates would be allowed as a credit on the purchaser's Federal income tax. For example, if a man buys three certificates, one for each of his three children, it costs him \$150. Let us assume that his Federal income tax calculated after all deductions, are made, comes to \$600. He then subtracts the \$150 from his total tax liability of \$600 and pays the Government \$450. In other words, instead of paying the full \$600 to the Government, \$450 is paid in taxes and \$150 is put away for the education of his children.

The certificates would ordinarily be purchased by the beneficiary's parents or legal guardian. But in the event that the parent or guardian did not have sufficient tax liability to purchase a certificate, a relative or some other designated person could make the investment and receive tax credit.

The certificates could be redeemed only when applied to the payment of tuition, books, room and board expenses at an approved institution of higher education. An approved institution is taken to include colleges, universities, junior colleges, professional schools, trade schools, or any other educational institutions beyond the high school level. The money in the student's restricted educational account will be distributed equally over a 4-year period, paid directly to the institution at which the student is enrolled.

Mr. Chairman, here is a bold new total approach to the problems of higher education. It is a plan that is adequate, flexible, and equitable. I invite all Members and all who are interested in real and permanent solutions to give serious thoughts to the advantages of the Iowa plan for progress and growth in education.

Mr. VANIK. Mr. Chairman, I rise in support of the bill before the House today, the 1968 amendments to the Higher Education Act. These amendments extend for 2 years, four very important student aid programs: the NDEA loan program, the college work-study program, the educational opportunity grant program, and the guaranteed student loan program.

Never has a college degree been more important. Never have more people wanted to go to college. And yet never has education been more expensive. A family with one child must plan and save for years to provide their child with a college education. A family with several children who are capable of going to college is strained to the limit to provide an education. In all too many cases, the family is unable to put an able and deserving child through school. For those children from lower income families, the cost of college education is totally prohibitive.

I am in favor of a tax credit for families who must bear the expense of a college education. The enactment of a tax

credit must be one of the first orders of business once we pass the present crisis in fiscal affairs. However, the tax credit must be in addition to and not a substitute for the present Federal programs directed toward excellence in the classroom and teacher development. Many legislators claim to support a tax credit as a reason for not supporting important programs in education, including the Elementary, Secondary and Higher Education Act.

The Federal programs are directed toward quality education. In the higher education field, the high quality of instruction results from Federal programs which provide fellowships and research grants to scientists and instructors who also teach. If these programs are cut back or abolished, the quality of our teaching faculties would suffer and the cost of tuition would many times multiply the cost of any tuition credit benefit.

It is also important to consider the relationship of medicare and social security programs to the problem of higher education. As a parent, I would prefer not to have to determine whether my family resources should be spent for the education of my children or for the support or the medical and health requirements of my parents. The improvement of social security and the enactment of medicare has relieved many American families from the terrible choice of establishing priorities.

The extension of the four programs in the bill before us today will provide an education for hundreds of thousands of deserving youngsters. I have kept a record of these college-assistance programs and their impact in the county I represent: Cuyahoga County, Ohio. As the following table shows, these programs have grown dramatically over the past 5 fiscal years. They have obviously been crucial in helping provide assistance to the post-World War wave of children seeking entrance to the Nation's colleges.

Fiscal year	NDEA	Work study	Education opportunity grant	Guaranteed loan
1963	\$702,064			
1964	984,409			
1965	801,482			
1966	1,450,000	\$100,173	\$383,190	\$118,000
1967	1,469,470	364,520	609,850	0

¹ Estimated.

The table shows that the guaranteed loan program was not used in the Cleveland area in fiscal 1967, because banks did not want to participate in it. I am proud to report, however, that beginning last fall, a number of area banks realized the importance of the program, put civic spirit above the lack of attractiveness of the loans, and again began participating in the program.

The table also shows that there has been a more than threefold increase in student assistance between fiscal 1963 and fiscal 1967. These programs have meant the difference between limited opportunity and limitless future for thousands of Cleveland area youngsters.

Mr. Chairman, I urge the adoption of the amendments before us.

Mr. BINGHAM. Mr. Chairman, the bill

before us, the Higher Education Amendments of 1968, which I support, permits low-interest loans, some outright grants, and funds for student jobs. The main approach—low interest loans—is desirable, but also has some drawbacks. First, the amount which may be borrowed is far below the minimum amounts needed for students in many of our universities. Second, many youngsters, and their families, would prefer not to finish their training encumbered by a deep indebtedness which young families will find to be a strain as they set up households and start on their careers.

This bill does not, in my judgment, go far enough. Last week I introduced tax incentive legislation—H.R. 16982—which would provide tax credits for students or family members for tuition, fees, books, and equipment costs. I see these two bills as complementary. Millions of families of modest income are willing, even anxious, to pay for their children's education. However, in a period of rising prices and taxes, they find the burden of mounting school costs just beyond their means. My bill would help reduce this burden.

There is no inconsistency between encouraging family assistance, as my bill does, and providing Government assistance. What we should seek is a variety of means to stimulate and facilitate the pursuit of higher education. My bill and the bill before us are two such compatible means.

Mr. DONOHUE. Mr. Chairman, this Higher Education Act Amendments bill, H.R. 16729, now before us certainly ranks very high among the most important measures presented to the Congress and I most earnestly hope we will follow the example of the esteemed Committee on Education and Labor by speedily and unanimously approving it.

This afternoon we have heard a most impressive recital of expert and authoritative testimony to show the incredible growth, over these past several years, of the number of students entering our higher institutions of learning. For the next decade it is reliably anticipated that the student population will increase to a figure of more than 8 million.

As this phenomenal growth has occurred it has strikingly revealed the imperative need to provide and expand scholarship and loan programs to help qualified and ambitious students, whose families are financially unable to assist them, to continue their education. That is the basic and wholesome objective of this measure we are now considering.

The principle provisions of this measure are designed to extend, through fiscal 1970, the National Defense Education Act, student loan programs, the educational opportunity grant program, and the work-study program and to expand student loan insurance programs to permit the insurance of more student loans by increasing the Federal assistance to State and private student loan insurance agency reserve funds by one-third and by providing a new program of Federal reinsurance of 80 percent of the value of the loan. As the Members here are aware all of these programs are due to expire next June 30 and there is, therefore, an

urgent requirement for our authorization action now.

A further timely and sensible proposal in this measure provides for the inclusion of appropriations requests for these higher education assistance programs in the fiscal year prior to the one in which they would be made available which will obviously enable both the educational institutions and the students to utilize the programs in the best of order and to the fullest advantage. Mr. Chairman, the fundamental projection of this legislation is to foster and to nourish the talents we need to preserve the security and insure the progress of this Nation now and hereafter. These talents, for development, reside in the youth of our Nation. This bill represents an investment in our youth by providing the means for the fulfillment of the individual's capacity for intellectual and personal development through advanced educational training. Such a fulfillment returns an untold contribution to our society of economic, scientific, cultural, and social benefits. As Benjamin Franklin so well said long ago, "an investment in knowledge pays the best interest."

Very truly the continuing welfare of a nation primarily depends on the investment it makes in the human capacities of the citizens who live in it.

Mr. Chairman, upon our best judgment, but quite often with real misgiving and doubt about future benefits, we authorize a great many investments here in this body every year. Today we have the opportunity of approving a reasonable investment in the young people of this country, an investment about which, no matter by what priority spending standards it is judged, there can be no doubt at all of the future benefit that will be returned to the Nation. Let us, then, wisely adopt this measure, in the national interest, without further delay.

Mr. PICKLE. Mr. Chairman, one of the most significant and exciting results of Federal higher education student assistance programs has been the remarkable growth in terms of aid we have given our youth and our systems of higher education.

I strongly favor H.R. 16729 and its approach to extend for 2 years programs providing assistance to students at institutions of higher education.

I am disposed to believe that if anyone will carefully look at the facts and read the legislation closely it is unlikely they could deny this assistance.

During the 10-year period since the beginning of the National Defense Education Act of 1958, there have been additional student aid programs established with the result that, today there is a comprehensive federally assisted package of student assistance made up of loans, direct grants, and work-study programs.

In this 10-year period, the number of participating colleges and universities in these student aid programs has doubled from 1,100 to 2,200. The dollar amount of funds provided to students has increased tenfold from \$59 million in loans in the first full year of NDEA to over \$400 million in fiscal year 1968.

And, the number of students served by these programs has increased nearly sevenfold over the 115,000 borrowers in the first year of NDEA.

The real significance, however, of what we have done in American education is reflected, not in statistics, but in the experiences of individual Americans, young and old, whose lives are being shaped by better education.

Yet, for all our progress, we still face enormous problems in education that cannot be met by half-hearted measures which directly effect the young people of America and will eventually effect the civilization and fabric of our society.

Our failure to recognize the priorities of education can result only in human costs. These costs may be explainable but they are not tolerable.

In my State, Federal funds have been used wisely and consistently; and there is a strong need for Federal assistance in extending the educational opportunities for rapidly growing numbers of youth who aspire to a higher education.

We face in Texas the problems of an increasing population and an increasing percentage of college-age groups seeking higher education.

I might add that the problem in Texas is more serious than in most States since each 5-year period since 1950 shows the percentage of population growth in Texas has exceeded the national growth figure.

For example, in 1960-65, the percentage of population growth in Texas was 10.6 as compared to the U.S. growth rate of 8.1 percent.

Our college-going rate has increased steadily and whereas 21.6 percent of the 18 to 24 age group was attending college in 1961, there was 27.3 percent of this group in college in 1967.

In my district alone programs to aid education are visibly demonstrated. Within a radius of 40 miles, we have some 50,000 college students in some of the best universities in the Nation.

Paralleled with agricultural interests, there is not a higher priority than interests in education. Investment in students represents the best investment we can make to the future of America.

Both increasing population and an increasing college-going rate are placing heavy pressures on our colleges and universities in Texas.

The pressure would not be bearable except for the Federal assistance of such sound programs as work study, direct grants, and loans to those who seek fulfillment as humans through better education.

Mr. FRASER. Mr. Chairman, I would like to strongly endorse H.R. 16729, which would continue our college student aid programs for 2 more years. The best ticket for success in American society is a good education, and we must make sure that every youth who is willing and able to get a college education will have the opportunity to do so.

The costs of a college education are continually rising. Annual charges at many private schools are now over \$3,000 a year, and costs at public institutions are going up as well. Even with careful planning and saving in advance, it is difficult for many families to keep a son

or daughter in college. The problem is magnified for each additional member of the family of college age.

The four student aid measures which would continue to be funded enable many young people from a variety of backgrounds to get college educations. Some need only guaranteed loans to make ends meet, and some need more help, such as that provided by grants, work-study programs, and NDEA loans. With these programs the burden of financing an education is spread equitably. Part of the cost is paid by a student and his family while he is in school, part is paid by the student when he is out of school, and part is paid for by the Government.

The program is not excessive in cost—\$500 million a year. We can afford it. Further, we must be able to afford it. The money spent via these programs is an investment not just in the education of a few young people; it is, rather, an investment in the future of our Nation. To continue to lead in the world, we must have a continuous flow of leaders from our universities. Hence, H.R. 16729 deserves the support of us all.

Mr. COHELAN. Mr. Chairman, I rise to express my opposition to the amendment to the higher education assistance programs legislation which is now before us. This amendment as I understand it would deny the benefits of this act to any student or employee of a college or university who violates a rule of the institution certified by the institution to be a serious type violation or one which is disruptive.

Mr. Chairman, I do not believe that it is right or proper for the Congress of the United States to lend the weight of its sanctions to the rules of public and private universities, especially when those rules are not passed upon publicly and are not even subject to the constitutional limitations which would be attendant to usual governmental actions.

Certainly the threat of losing financial assistance will have a serious inhibiting influence on the expressions and actions of students dependent on that assistance, and it will cause them to be chary of taking action on even clearly legitimate matters.

Mr. Chairman, I believe that relations between universities, and their staff and students are best left to the parties. Every time the government, and especially the Federal Government, takes action to influence the conduct of university affairs it threatens to intrude upon the traditional freedom of thought and inquiry which is the essence of a university. It is because of the dampening effect upon academic freedom more than any thing else that I am so deeply concerned by this amendment.

Mr. Chairman, I will vote against this amendment, and I urge my colleagues to do likewise. It is a provision which has no place in the academic environment—if students and universities are to improve their relations it will not be through the intimidation of expression by the use of Federal sanctions.

The CHAIRMAN. All time has expired. The Clerk will read the bill for amendment.

The Clerk read as follows:

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

EXTENSION OF NATIONAL DEFENSE STUDENT LOAN PROGRAM

SECTION 1. (a) Section 201 of the National Defense Education Act of 1958 is amended (1) by striking out "and" before "\$225,000,000", (2) by inserting after "June 30, 1968," the following: "and \$200,000,000 each for the fiscal year ending June 30, 1969, and the next fiscal year;" (3) by striking out "and such sums for the fiscal year ending June 30, 1969" and inserting in lieu thereof "and there are further authorized to be appropriated such sums for the fiscal year ending June 30, 1971", and (4) by striking out "July 1, 1968" and inserting in lieu thereof "July 1, 1970".

(b) Section 202 of such Act is amended by striking out "1968" in subsections (a) and (b) and inserting in lieu thereof "1970".

(c) Section 206 of such Act is amended by striking out "1972" each time it appears in subsections (a), (b), and (c) of such section, and inserting in lieu thereof "1974".

EXTENSION OF AND AMENDMENT TO WORK-STUDY PROGRAM

SEC. 2. (a) The first sentence of section 442 of the Higher Education Act of 1965 is amended (1) by striking out "and" before "\$200,000,000", and (2) by inserting after "June 30, 1968," the following: "and \$225,000,000 each for the fiscal year ending June 30, 1969, and the succeeding fiscal year".

(b) Section 144(f) of the Economic Opportunity Act of 1964 is amended by striking out all that follows "this Act" and inserting in lieu thereof the following: ", 85 per centum during the period beginning August 21, 1967, and ending June 30, 1968, and 80 per centum thereafter; except that the Federal share may exceed 80 per centum of compensation for work performed after June 30, 1968, by a student employed by a private nonprofit agency or organization (other than the institution entering into the agreement) if the Commissioner determines, pursuant to regulations adopted and promulgated by him establishing objective criteria for such determinations, that a Federal share in excess of 80 per centum is required in furtherance of the purposes of this part;".

EXTENSION OF AND AMENDMENTS TO EDUCATIONAL OPPORTUNITY GRANT PROGRAM

SEC. 3. (a) (1) Section 401(b) of the Higher Education Act of 1965 is amended—

(A) by striking out "two succeeding fiscal years" in the first sentence and inserting in lieu thereof "four succeeding fiscal years"; and

(B) by striking out the second sentence.

(2) Sections 405(b), 406(b), and 407(b) of such Act are each amended by striking out "third sentence" and inserting in lieu thereof "second sentence".

(b) Effective July 1, 1968, section 402(1) of such Act is amended by striking out ", but excluding assistance from work-study programs" and inserting in lieu thereof the following: "and including compensation paid under a work-study program assisted under part C of title I of the Economic Opportunity Act of 1964".

(c) Section 407 of such Act is amended by adding at the end thereof the following new subsection:

"(c) An institution which has in effect an agreement to carry out a work-study program under section 143 of the Economic Opportunity Act of 1964 may use to carry out such work-study program any of the funds paid to it from sums appropriated under the first sentence of section 401(b) of this Act for the fiscal year ending June 30, 1969, and the succeeding fiscal year. The requirement in section 144(f) of such Act shall apply to any funds used under the authority of this subsection for such purpose."

EXTENSION OF AUTHORITY FOR PAYMENTS TO REDUCE STUDENT INTEREST COST

SEC. 4. Paragraph (4) of section 428(a) of the Higher Education Act of 1965 is amended by striking out "1968" and inserting in lieu thereof "1970", and by striking out "1972" and inserting in lieu thereof "1974".

EXTENSION OF FEDERAL LOAN INSURANCE PROGRAM

SEC. 5. Subsection (a) of section 424 of the Higher Education Act of 1965 is amended (1) in the first sentence by striking out "and" after "1967," and by inserting after "June 30, 1968" the following: ", and each of the two succeeding fiscal years"; and (2) in the second sentence by striking out "1972" and inserting in lieu thereof "1974".

FEDERAL GUARANTY OF STUDENT LOANS INSURED UNDER NON-FEDERAL PROGRAMS

SEC. 6. (a) Section 421(a) of the Higher Education Act of 1965 is amended by striking out "and" before "(3)", and by inserting before the period at the end of that subsection the following: ", and (4) to guarantee a portion of each loan insured under a program of a State or of a nonprofit private institution or organization which meets the requirements of section 428(a)(1)(C)".

(b) Section 428 of such Act is amended by adding after subsection (b) the following new subsection:

"(c) (1) The Commissioner may enter into a guaranty agreement with any State or any nonprofit private institution or organization with which he has an agreement pursuant to subsection (b), whereby the Commissioner shall undertake to reimburse it, under such terms and conditions as he may establish, in an amount equal to 80 per centum of the amount expended by it in discharge of its insurance obligation, incurred under its loan insurance program, with respect to losses (resulting from the default, death, or permanent and total disability of the student borrower) on the unpaid balance of the principal (other than interest added to principal) of any insured loan with respect to which a portion of the interest (A) is payable by the Commissioner under subsection (a), or (B) would be payable under such subsection but for the adjusted family income of the borrower.

"(2) The guaranty agreement—

"(A) shall set forth such administrative and fiscal procedures as may be necessary to protect the United States from the risk of unreasonable loss thereunder, to insure proper and efficient administration of the loan insurance program, and to assure that due diligence will be exercised in the collection of loans insured under the program;

"(B) shall provide for making such reports, in such form and containing such information, as the Commissioner may reasonably require to carry out his functions under this subsection, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and certification of such reports;

"(C) shall set forth adequate assurance that, with respect to so much of any loan insured under the loan insurance program as may be guaranteed by the Commissioner pursuant to this subsection, the undertaking of the Commissioner under the guaranty agreement is acceptable in full satisfaction of State law or regulation requiring the maintenance of a reserve;

"(D) shall provide that 80 per centum of such amounts as may be made as payments of principal on loans in default, and with respect to which the Commissioner has made payment under the guaranty agreement, shall be paid over to the Commissioner for deposit in the insurance fund established by section 431, but shall not otherwise provide for subrogation of the United States to the rights of any insurance beneficiary; and

"(E) may include such other provisions as may be necessary to promote the purposes of this part.

"(3) To the extent provided in regulations of the Commissioner, a guaranty agreement under this subsection may contain provisions which permit such forbearance for the benefit of the student borrower as may be agreed upon by the parties to an insured loan and approved by the insurer. Nothing in this subsection shall be construed to require collection of the amount of any loan by the insurance beneficiary or its insurer from the estate of a deceased borrower or from a borrower found by the insurance beneficiary or its insurer to have become permanently and totally disabled.

"(4) For purposes of this subsection—

"(A) the terms 'insurance beneficiary' and 'default' shall have the meanings assigned to them by section 430(e), and

(B) permanent and total disability shall be determined in accordance with regulations of the Commissioner.

(5) In the case of any guaranty agreement entered into prior to September 1, 1969, with a State or nonprofit private institution or organization with which the Commissioner has in effect on that date an agreement pursuant to subsection (b) of this section, or section 9(b) of the National Vocational Student Loan Insurance Act of 1965, made prior to the date of enactment of this subsection, the Commissioner may, in accordance with the terms of this subsection, undertake to guarantee loans described in paragraph (1) which are insured by such State, institution, or organization and are outstanding on the date of execution of the guaranty agreement, but only with respect to defaults occurring after the execution of such guaranty agreement or, if later, after its effective date."

(c) Section 431 of such Act is amended (A) by inserting in the first sentence of subsection (a) ", or in connection with payments under a guaranty agreement under section 428(c)," after "insured by him under this part"; (B) by inserting in the third sentence of subsection (a) ", or in connection with such guaranty agreements," after "insured by the Commissioner under this part"; and (C) by inserting in the first sentence of subsection (b) ", or in connection with any guaranty agreement made under section 428(c)" after "insured by the Commissioner under this part".

(d) Section 432(a)(5) of such Act is amended by inserting "or any guaranty agreement under section 428(c)" after "such insurance".

FEDERAL ADVANCES TO RESERVE FUNDS OF NON-FEDERAL STUDENT LOAN INSURANCE PROGRAMS

SEC. 7. (a) Section 421(b) of such Act is amended by striking out "and" at the end of paragraph (2); by striking out the period at the end of the first sentence of that subsection and inserting in lieu thereof ", and"; and by adding thereafter the following new paragraph:

"(4) there is authorized to be appropriated the sum of \$10,000,000 for making advances under section 422 during the two-fiscal-year period ending June 30, 1970, for the reserve funds of State and nonprofit private student loan insurance programs."

(b) Section 422(a) of such Act is amended—

(1) by striking out "clause (3)" in the first sentence of paragraph (1) and inserting in lieu thereof "clauses (3) and (4)", and by striking out "of the fiscal years ending June 30, 1966, June 30, 1967, or June 30, 1968," and inserting in lieu thereof "fiscal year" in the second sentence of such paragraph; and

(2) by redesignating paragraph (2) as paragraph (3) and inserting after paragraph (1) the following new paragraph:

"(2) No advance shall be made after June 30, 1968, unless matched by an equal amount from non-Federal sources. Such equal amount may include the unencumbered non-Federal portion of a reserve fund. As used in the preceding sentence, the term

'unencumbered non-Federal portion' means the amount (determined as of the time immediately preceding the making of the advance) of the reserve fund less the greater of (A) the sum of (1) advances made under this section prior to July 1, 1968, (ii) an amount equal to twice the amount of advances made under this section after June 30, 1968, and before the advance for purposes of which the determination is made, and (iii) the proceeds of earnings on advances made under this section, or (B) any amount which is required to be maintained in such fund pursuant to State law or regulation, or by agreement with lenders, as a reserve against the insurance of outstanding loans."

(c) Section 422(b) of such Act is amended by inserting "(1)" after "(b)", by inserting "prior to July 1, 1968" before "pursuant to subsection (a)" where it appears in the first and third sentences, by deleting the last sentence of such subsection, and by adding at the end of such subsection the following new paragraphs:

"(2) The total of the advances from the sums appropriated pursuant to clause (4) of section 421(b) (A) to nonprofit private institutions and organizations for the benefit of students in any State and (B) to such State may not exceed an amount which bears the same ratio to such sums as the population of such State aged eighteen to twenty-two, inclusive, bears to the population of all the States aged eighteen to twenty-two, inclusive, but such advances may otherwise be in such amounts as the Commissioner determines will best achieve the purposes for which they are made. The amount available, however, for advances to any State shall not be less than \$20,000, and any additional funds needed to meet this requirement shall be derived by proportionately reducing (but not below \$20,000) the amount available for advances to each of the remaining States.

"(3) For the purposes of this subsection, the population aged eighteen to twenty-two, inclusive, of each State and of all the States shall be determined by the Commissioner on the basis of the most recent satisfactory data available to him."

INCREASE OF MAXIMUM INTEREST RATE UNDER STUDENT LOAN INSURANCE PROGRAMS

SEC. 8. (a) Section 427(b) of the Higher Education Act of 1965 is amended by striking out "6 per centum" and all that follows and inserting in lieu thereof "7 per centum per annum on the unpaid principal balance of the loan."

(b) Section 428(b)(1)(E) of the Higher Education Act of 1965 is amended by striking out "6 per centum" and inserting in lieu thereof "7 per centum".

(c) Section 428 of such Act is amended by adding at the end thereof the following new subsection:

"(d) No provision of any law of the United States (other than this part) or of any State (other than a statute establishing a State student loan insurance program), which limits the rate or amount of interest payable on loans shall apply to a loan—

"(1) which bears interest (exclusive of any premium for insurance) on the unpaid principal balance at a rate not in excess of 7 per centum per annum, and

"(2) which is insured (A) by the United States under this part, or (B) by a State or nonprofit private institution or organization under a program covered by an agreement made pursuant to subsection (b) of this section."

MERGER OF NATIONAL VOCATIONAL STUDENT LOAN INSURANCE ACT OF 1965 WITH STUDENT LOAN INSURANCE PROGRAM OF HIGHER EDUCATION ACT OF 1965

SEC. 9. (a) Section 435 of the Higher Education Act of 1965 is amended—

(1) by redesignating subsections (a), (b),

(c), (d), (e), and (f) as (b), (d), (e), (f), (g), and (h), respectively;

(2) by inserting before subsection (b) as so redesignated the following new subsection:

"(a) The term 'eligible institution' means (1) an institution of higher education, (2) a vocational school, or (3) with respect to students who are nationals of the United States, an institution outside the States which is comparable to an institution of higher education or to a vocational school and which has been approved by the Commissioner for purposes of this part";

(3) by striking out in subsection (b) as so redesignated "eligible institution" and inserting in lieu thereof "institution of higher education", by striking out in the second sentence of such subsection "any institution outside the States which is comparable to an institution described in the preceding sentence and which has been approved by the Commissioner for the purposes of this title, and also includes"; and

(4) by inserting after subsection (b) the text of subsection (a) of section 17 of the National Vocational Student Loan Insurance Act of 1965 amended as follows:

(A) Strike out "(a)" and insert in lieu thereof "(c)".

(B) Strike out "eligible institution" and insert in lieu thereof "vocational school".

(C) Strike out "Act" in clause (4)(C) and insert in lieu thereof "part".

(b) Section 421(a) of the Higher Education Act of 1965, as amended by this Act, is further amended by striking out "and" before "(4)", and by adding before the period at the end of that subsection the following: ", and (5) to authorize direct loans to students attending vocational schools who are unable to obtain insured loans at interest rates that do not exceed rates prescribed by the Secretary for federally insured loans."

(c) Section 422(b)(1) of such Act (as amended by section 7(c) of this Act) is amended (1) by striking out "\$700,000,000" in the first sentence of such subsection and inserting in lieu thereof "\$775,000,000"; (2) by striking out "\$25,000" each time it appears in the second sentence and substituting in lieu thereof "\$35,000"; and (3) by adding at the end thereof the following: "For purposes of determining whether the maximum or minimum amount of advances under this paragraph has been received by a State or by nonprofit institutions or organizations for the benefit of students in such State, there shall be included any advance made to such State and to institutions or organizations for the benefit of students in that State under section 3 of the National Vocational Student Loan Insurance Act of 1965."

(d) (1) Section 425(a) of such Act is amended by striking out "(1)" after "Sec. 425. (a)" and by striking out paragraph (2).

(2) Section 427(a)(2)(C)(i) of such Act is amended by striking out "institution of higher education or at a comparable institution outside the States approved for this purpose by the Commissioner" and inserting in lieu thereof "eligible institution".

(3) Section 427(a)(2)(C)(iv) of such Act is amended by inserting "full-time" before "volunteer".

(4) Section 428(a)(6) of such Act is repealed.

(5) Section 434 of such Act is amended by striking out "10 per centum" and inserting in lieu thereof "15 per centum".

(6) Section 436(a) of such Act is amended by striking out "title and the National Vocational Student Loan Insurance Act of 1965" and inserting in lieu thereof "part".

(e) Part B of title IV of such Act is amended by inserting at the end thereof a new section, designated "Sec. 437.", which shall contain the section heading and subsection designations and text of section 10 of the National Vocational Student Loan Insurance Act of 1965, amended as follows:

(1) Subsection (a) of such text is amend-

ed by striking out "student who would be eligible for an insured loan under this Act" and inserting in lieu thereof "student who would be eligible for an insured loan for study at a vocational school under this part".

(2) Subsections (a) and (b) of such text are amended by striking out "section 8(a)(2)(D)" each time it appears and inserting in lieu thereof "section 427(a)(2)(D)".

(3) Such text is amended by striking out "Act" at each place it appears and inserting in lieu thereof "part".

(f) Section 435 of such Act is amended by adding at the end thereof the following new subsection:

"(i) The term 'State', as defined in section 801(b), includes the Trust Territory of the Pacific Islands."

(g) (1) The National Vocational Student Loan Insurance Act of 1965 is repealed.

(2) All assets and liabilities of the vocational student loan insurance fund established by section 13 of the National Vocational Student Loan Insurance Act of 1965, matured or contingent, shall be transferred to, and become assets and liabilities of, the student loan insurance fund established by section 431 of the Higher Education Act of 1965. Payments in connection with defaults of loans made on or after the sixtieth day after the date of enactment of this Act and insured by the Commissioner (under the authority of subsections (h)(3) and (h)(4) of this section) under the National Vocational Student Loan Insurance Act of 1965 shall be paid out of the fund established by such section 431.

(h) (1) Except as provided in paragraphs (2), (3), and (4):

(A) This section (and any amendment or repeal made thereby) shall apply to loans made on or after the sixtieth day after the date of enactment of this Act.

(B) In computing the maximum amounts which may be borrowed by a student who obtains an insured loan on or after such sixtieth day, and the minimum amounts of repayment allowable with respect to sums borrowed by such a student, there shall be included all loans, whenever made, (1) insured by the Commissioner, or a State institution, or organization with which the Commissioner has an agreement under section 428(b) of part B of title IV of the Higher Education Act of 1965 or section 9(b) of the National Vocational Student Loan Insurance Act of 1965, or (ii) made by a State under section 428(a)(2)(B) of such part or section 9(a)(2)(B) of such Act, or by the Commissioner under section 10 of such Act.

(2) Clause (iv) (VISTA service) and clause (i) (attendance at eligible institution) of section 427(a)(2)(C) of the Higher Education Act of 1965, shall apply to loans made by the Commissioner and, with the consent of the lender, loans insured by the Commissioner, to students for study at vocational schools, which are outstanding on the sixtieth day after the enactment of this Act, but only with respect to periods of attendance or service occurring on or after such sixtieth day.

(3) This section (and any amendment or repeal made thereby) shall not apply so as to require violation of any commitment for insurance made to an eligible lender, or of any line of credit granted to a student, prior to the sixtieth day after enactment of this Act, under the Higher Education Act of 1965 or the National Vocational Student Loan Insurance Act of 1965, or, except with the consent of the State or nonprofit private agency concerned, impair the obligation of any agreement made pursuant to section 428(b) of the Higher Education Act of 1965 or section 9(b) of the National Vocational Student Loan Insurance Act of 1965. The Commissioner of Education shall undertake to obtain necessary modifications of agreements entered into by him pursuant to section 428(b)(1) of the Higher Education Act

of 1965 or section 9(b) of the National Vocational Student Loan Insurance Act of 1965 and in force upon the date of enactment of this Act so as to conform the provisions of such agreements to the requirements of such section 428(b)(1). If, however, such modifications cannot be obtained because a party to such an agreement is subject to a statute of a State that prevents such party from complying with the terms of such modification, the Commissioner shall not, before the fourth month after the adjournment of such State's first regular legislative session which adjourns more than sixty days after enactment of this Act, exercise his authority to terminate, or to refuse to extend, such agreement.

(4) A certificate of insurance or of comprehensive insurance coverage pursuant to section 11 of the National Vocational Student Loan Insurance Act of 1965 may be issued or made effective on or after the sixtieth day after the date of enactment of this Act with respect to loans made prior to such sixtieth day without regard to any amendment or repeal made by this section.

PROVISIONS FOR ADEQUATE LEADTIME AND FOR PLANNING AND EVALUATION IN HIGHER EDUCATION STUDENT ASSISTANCE PROGRAMS

SEC. 10. The Higher Education Act of 1965 is amended by adding after section 804 the following new sections:

"PROGRAM PLANNING AND EVALUATION FOR HIGHER EDUCATION PROGRAMS

"SEC. 805. (a) There are authorized to be appropriated, for each fiscal year for which appropriations are otherwise authorized by any provision of law specified in subsection (b), such sums as may be necessary, to be available to the Secretary, in accordance with regulations prescribed by him, for expenses, including grants, loans, contracts, or other payments, for (1) planning for the succeeding year programs or projects for which such appropriations are authorized under such provision of law, and (2) evaluation of programs or projects for which appropriations are so authorized.

"(b) The provisions of law referred to in subsection (a) are as follows:

"(1) Parts A and B of title IV and section 442 of this Act.

"(2) Title II of the National Defense Education Act of 1958.

"(3) Part C of title I of the Economic Opportunity Act of 1964.

"ADVANCE FUNDING

"SEC. 806. To the end of affording the responsible State, local, and Federal officers concerned adequate notice of available Federal financial assistance for education, appropriations for grants, loans, contracts, or other payments under any provision of law referred to in section 805(b) are authorized to be included in the appropriation Act for the fiscal year preceding the fiscal year for which they are available for obligation. In order to effect a transition to this method of timing appropriation action, the preceding sentence shall apply notwithstanding that its initial application under any such provision of law will result in the enactment in the same year (whether in the same appropriation Act or otherwise) of two separate appropriations, one for the then current fiscal year and one for the succeeding fiscal year.

"EVALUATION REPORTS AND CONGRESSIONAL REVIEW

"SEC. 807. (a) No later than March 31 of each calendar year, the Secretary shall transmit to the respective committees of the Congress having legislative jurisdiction over any provision of law referred to in section 805(b) and to the respective Committees on Appropriations a report evaluating the results and effectiveness of programs and projects assisted thereunder during the preceding fiscal year, together with his recommendations (in-

cluding any legislative recommendations) relating thereto.

"(b) In the case of any such program, the report submitted in the penultimate fiscal year for which appropriations are then authorized to be made under such program for assistance to students who have not received assistance under such program during prior fiscal years shall include a comprehensive and detailed review and evaluation of such program (as up to date as the due date permits) for its entire past life, based to the maximum extent practicable on objective measurements, together with the Secretary's recommendations as to proposed legislative action.

"AVAILABILITY OF APPROPRIATIONS ON ACADEMIC OR SCHOOL YEAR BASIS

"SEC. 808. Appropriations for any fiscal year for grants, loans, contracts, or other payments to educational agencies or institutions under any provision of law referred to in section 805(b), may, in accordance with regulations of the Secretary, be made available for expenditure by the agency or institution concerned on the basis of an academic or school year differing from such fiscal year."

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

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

Mr. GROSS. Mr. Chairman, reserving the right to object, I have no desire to prolong the debate or procrastinate on this bill, but it would be my hope the gentleman would not insist on time limitations on the bill until at least the amendments are out of the way.

Mr. PERKINS. I do not intend that. I want the bill thoroughly debated, and unless there is some unreasonably lengthy amendment somewhere along the line, I will not insist on time limitations anywhere, but I thought we could expedite this.

Mr. GROSS. Mr. Chairman, I withdraw my reservation with that assurance.

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

There was no objection.

AMENDMENT OFFERED BY MR. QUIE

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

The Clerk read as follows:

Amendment offered by Mr. QUIE: On page 2, line 16, after "PROGRAM" insert "AND EXTENSION OF VOCATIONAL WORK-STUDY PROGRAM".

On page 3, after line 11, insert:

"(c) (1) Section 13(e) of the Vocational Education Act of 1963 is amended by striking out the second sentence and inserting in lieu thereof: 'From a State's allotment under this section for the fiscal year ending June 30, 1967, and for each of the three succeeding fiscal years, such payment shall equal 75 per centum of the amount so expended.'

"(2) Section 15 of such Act is amended by striking out 'and \$35,000,000 for the fiscal year ending June 30, 1967, and the succeeding fiscal year' and inserting in lieu thereof 'and \$35,000,000 for the fiscal year ending June 30, 1967, and for each of the three succeeding fiscal years'.

Mr. QUIE. Mr. Chairman, what this amendment does is to extend the vocational work-study program exactly as it is. It is the same authorization as exists in fiscal year 1968. It would extend it for the 2 years as we do with the other

student assistance programs, for the year 1969 and the year 1970. Again I would say on this program that if there is to be any change in it, we ought to make that change in the subsequent legislation, but now in order that we might be able to pass the legislation as quickly as possible with the least amount of controversy, I believe we ought to extend this as a part of the act in order that a vocational education work-study program can receive its appropriations as well.

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

Mr. QUIE. I yield to the gentleman from Kentucky.

Mr. PERKINS. Mr. Chairman, I have had an opportunity to examine the amendment and I believe it should be accepted. I say this because it is imperative that there be a new authorization for the program. Since the Committee on Appropriations is going to act Tuesday on the Labor-HEW appropriation bill, there must be an authorization so that the Appropriations Committee can provide for this particular program. Is that correct?

Mr. QUIE. That is correct. That is the purpose of the amendment.

Mr. PERKINS. Mr. Chairman, if the gentleman will yield further, that is the sole reason why I feel that this amendment should be accepted at this time. I am concerned about the matching provisions which presently govern the program.

The law now provides for a Federal share of 75 per cent. Some of us would like to change it. But I am concerned whether it should be done at this time.

My only objective is to see to it that there is an authorization for this program. I do not think we should jeopardize this possibility in any way. I am concerned that amendments to the matching provisions may jeopardize or hinder us in reaching our objective.

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

(On request of Mr. PUCINSKI, and by unanimous consent, Mr. QUIE was allowed to proceed for 5 additional minutes.)

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

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

Mr. PUCINSKI. Mr. Chairman, I would have no objection to proceeding along these lines today in view of the fact that this bill expires on June 30.

Mr. Chairman, this represents one of the finest programs which we have in operation in this country. However, I would like to remind the members of the Committee of the Whole House on the State of the Union that the general Subcommittee on Education is now concluding its hearings on amendments to the Vocational Rehabilitation Act, and we hope to bring to this Congress before this session is over legislation which will not only deal with this program and problems but others as well which are so important to this country.

First of all, Mr. Chairman, I would like to ask the gentleman in the well, the gentleman from Minnesota [Mr. QUIE], who has offered this amendment, wheth-

er or not I can get any assurance from him that the adoption of his proposed amendment does not preclude us from coming in with other amendments to the Vocational Education Act and I hope we can count on the support of the gentleman from Minnesota when we propose other substantial amendments.

Mr. QUIE. Mr. Chairman, in response to the statement of the gentleman from Illinois, the adoption of this amendment would not preclude his general Subcommittee on Education from coming in with additional substantive amendments to the Vocational Education Act which is in the same situation as the Higher Education Act. Further, I can say to the gentleman that I can give him that assurance and hopefully the assurance to our colleagues in this body that I want to extend the vocational education bill this year to further strengthen our school systems and these various programs. It is my opinion that there should be a dramatic improvement and that it is most important that we make great strides in these fields in the coming years. We need to do more to improve the Vocational Education Act in order to improve the opportunities for all people to learn and utilize vocational skills.

Mr. PUCINSKI. Mr. Chairman, if the gentleman will yield further, in view of this assurance on the part of the gentleman from Minnesota I shall not offer the amendment which I had intended to offer to the gentleman's amendment which would provide for 80 percent of Federal funds and only 20 percent of State funds, simply because your work-study program now provides for the 80-percent formula as well as other programs encompassed in this bill.

We should provide for this formula with reference to the work-study program as we do in the gentleman's amendments.

But, Mr. Chairman, in view of the fact that the gentleman from Minnesota [Mr. QUIE] has assured me that we will have bipartisan support, we can quickly move with our hearings and study on the bill now pending before the general Subcommittee on Education in the next few weeks.

Mr. Chairman, I would like to associate myself with the remarks which have been made by the gentleman from Minnesota, and it is my hope, and I know, that he will stand behind them when this other bill comes up for consideration.

Mr. LANGEN. Mr. Chairman, the vocational work-study program under consideration with H.R. 16729, the Higher Education Act Amendments, is a working and workable program aimed at providing vocational training for young people who come from families that are considered in the poverty classification. This program helps these young people to attend vocational schools by working part of the time in jobs that are related to their training.

Most of these students would drop out of school for lack of finances if this program was not continued. It is an investment in the future, providing training for youth who would otherwise go untrained, and providing needed skills for

our mechanized and computerized business community.

As we attempt to set priorities and try to come up with new ideas in the dual fight against poverty and a cumbersome, deficit-laden budget, we must be careful not to bypass the programs that are already making significant contributions and are producing concrete results for the modest sums spent. As one of the area technical schools recently wrote me from my district in Minnesota:

In the three years that we have had this program, our school district has not received one penny for administration of the program. How many other government sponsored programs can make this statement?

In other words, the money spent went directly to the training and maintenance of the needy students.

A modest investment in the training of a person who will become a reliable, tax-paying citizen is far superior to any program of assistance that merely doles out tax dollars under our 20th century welfare schemes without measurably reducing poverty or ending the cycle of unemployment. I believe the vocational work-study program should be preserved.

Mr. THOMPSON of New Jersey. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of H.R. 16729, a bill to extend the present higher education student assistance programs. This occasion marks the 10th anniversary of enactment of the National Defense Education Act of 1958, a landmark in the Federal effort to make available to our ambitious young people the opportunity to achieve a higher education. Many of us on the Education and Labor Committee worked on these earlier student assistance bills, and can look today with some pride at the way these programs have grown. This pride is not a mere gloating over legislative victories. It rather arises from the recognition that today, in 1968, the United States is firmly committed to the maintenance and expansion of programs to help insure that all of our young men and women are financially able to attend college.

Many speakers today will undoubtedly discuss the critical importance of higher education in our society. Our Nation depends on the colleges and universities to educate and train the young men and women who will inherit our Government, help run our industry, add to our scientific knowledge, and teach in our schools. Our young people depend on the colleges and universities to prepare them for a more useful and meaningful life. Approval of the programs which are before us today will reaffirm our national commitment to student assistance, and will continue our national investment in America's greatest resource—our children.

A capitulation of the numbers of students helped during the last 10 years, or of the amount of aid which has been rendered, is not in my opinion a complete measure of the success of these higher education student assistance programs.

To someone uneasy with statistics,

recitation of these large numbers can act as a narcotic, and dull the ability to understand that each number represents an individual. For instance, knowing that in fiscal year 1967, 3,770 students attending institutions of higher learning in my State of New Jersey received over \$3,000,000 in NDEA student loans does not tell the human story. How many of these students would have been unable to pursue their education without this help? How many were inspired by their experience during that academic year to become teachers, doctors, social workers, or clergymen? The mere number of students and amount of funds fail to tell us the significance to the individual student and to our national future of these NDEA loans.

But our concern today must be more with the future needs than the past success. President Johnson summed up the problem in his education message of last February:

For millions of capable American students and their families, college is still out of reach. In a nation that honors individual achievement, financial obstacles to full educational opportunity must be overcome.

The financial obstacles the President referred to exist for many students today, and they will not become less serious in the future. Recent figures show that the average annual cost of college to resident student at a private college or university was \$2,570 in 1967, and will grow to \$3,280 in 1977. The average annual cost to a resident student at a public college or university was \$1,640 in 1967, and will be \$2,160 in 1977. In other words, each school year in the next decade will bring a rise in the costs of a college education of roughly 5 percent. To parents of the lower and middle income groups, and even to parents of high incomes with several children, these increasing costs mean that sending their children to college will be at best difficult, and at worst impossible.

This bill, H.R. 16729, represents a congressional commitment that these increasing costs will not put a college education out of the financial reach of millions of young men and women.

I ask the Members to make this commitment to our young people, and to vote with me today in support of H.R. 16729.

Mr. Chairman, the bill before the House, would extend through fiscal 1970 four major student assistance programs. These programs are: the student loan program of the NDEA; the college work-study program carried out under title I of the Economic Opportunity Act; the educational opportunity grant program authorized under title IV of the Higher Education Act; and the guaranteed student loan program of title IV of the Higher Education Act.

I should point out that this bill was unanimously reported both by the Special Subcommittee on Education, and the Full Committee on Education and Labor. This consensus reflects the growing recognition that we must undertake to insure that no American youth of industry and ambition is denied the opportunity to pursue a college education because of lack of money. This consensus exists not merely because these student assistance

programs contribute to making the American promise of full opportunity a reality.

In a very real sense, every Federal dollar which helps a young man or woman attend college is an investment in America's future. The problems of today's world, and those of the world which our children will inherit, demand for their solution highly trained minds. If we are to successfully confront the population explosion, the problems arising from the technical and scientific revolution, and the poverty that we see around us in this country and abroad, then we must insist that all our young people have the opportunity to get the most advanced education which can be offered. H.R. 16729 is a step in that direction.

One of these student assistance programs has already begun to demonstrate its benefits, not just to the student receiving aid, but to society. I refer to the college work-study program, conducted under title I of the Economic Opportunity Act. This program seeks to stimulate the part-time employment of college students to help them meet their college costs. In 1966, some 275,000 students were employed by reason of this program, and it is estimated that 35 percent of these students were from families with annual incomes of less than \$3,000. At its inception, most of the jobs created through this program have been directly related to the college the student attended. However, an increasing number of students are now being employed in programs of direct benefit to their community. For example, last year some 50 students from Hardin-Simmons College were enabled to work during the summer for the Abilene, Tex., YMCA, to extend the Y's programs into lower income areas of the city which had not been served before. In another program, Boston University law students have worked in various positions with municipal governments in the Boston area, and with the local legal aid and public defender organizations. In Pittsburgh, students from Chatham College have undertaken projects to help the residents of the inner city, including mobile health units and remedial speech clinics. These students get much more from this work-study program than a job to help defray their college expenses. They are doing work which directly helps their community and which may offer them inspiration for later public service. The bill before us today would continue and expand this extremely worthwhile program.

Mr. Chairman, I refer to this work-study program in detail only to give some flavor to the happy combination of personal and national benefit which these student assistance programs offer. The other programs are of importance also. The authorization in H.R. 16729 for the NDEA student loan program for fiscal 1969 will help approximately 422,000 students. The grants provided under the educational opportunity grants will benefit some 425,000 students. The insured loan program will make available some \$10 million, and seek to enlist more directly in this educational venture private lending agencies.

I am sure that many of the Members recall the statement of the ancient Greek

philosopher, Diogenes, that "the foundation of every state is the education of its youth." This truth has not changed since the 4th century, B.C. If the United States is to continue its position as the leader of the free world, if we are truly to make of our own society a model for other nations to emulate, then we must attend to the education of our young. This bill, H.R. 16729, will help in this effort. I urge its approval.

Mr. PUCINSKI. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, in commenting on the amendment offered by the gentleman from Minnesota [Mr. QUIE], my time ran out while I was pointing out that while many well-meaning people in this country are looking for answers to what is happening to the young people in this country, there is no question but that one of the issues raised in the expanded program for aid to education is this work-study program which will be continued by the amendment offered by the gentleman from Minnesota, which is one of the most successful programs in this country, and it is probably the best means we have of reducing the staggering figures that plague us every day when we are faced with the strange paradox that in this great industrial country—the greatest industrial country in the world, reaching for an \$850 billion gross national product by July 1 of this year—that we find the strange dilemma of our young people being among the highest percentage of unemployed.

We find in America in the age groups between 16 and 19 years of age some 22 percent are unemployed among the white boys, 23 percent among the white girls, and a staggering 33 percent among the Negro boys in the age group of 16 to 19, and the percentage is 48 percent of unemployed among the young Negro girls in the age group 16 to 19.

Certainly the wisest thing is to continue this program and keep this work-study program going. It is through this program that we are trying to make industry accept this educational opportunity of giving youngsters the experience they need in order to join the mainstream of our national economy.

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

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

Mr. QUIE. Mr. Chairman, as the gentleman from Illinois says, this program provides excellent benefits in the urban areas of our country, but I would like to mention the effect it has on our rural areas.

As an example, in Staples, Minn., we have an outstanding program. This is in northern Minnesota, and is not in my district. In fact, it is one of the best area vocational schools in the country. More than 80 percent of the students in the Staples Vocational School receive assistance under this work-study program.

Mr. Chairman, I certainly share my colleague's great support for this program, and I am hopeful that this amendment will meet the speedy action that is necessary.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. QUIE].

The amendment was agreed to.

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 22, line 20, add the following: "Sec. 809. No loan, guarantee of a loan or grant authorized pursuant to this Act shall be awarded to any applicant who has been convicted by any court of general jurisdiction of any crime which involves the use of or assistance of others in the use of force, trespass or the seizure of property under control of an institution of higher education to prevent officials or students at such an institution from engaging in their duties or pursuing their studies."

The CHAIRMAN. The gentleman from Iowa [Mr. SMITH] is recognized in support of his amendment.

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

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

Mr. PERKINS. As far as the committee is concerned, I believe there are no objections to the gentleman's amendment.

The gentleman and I discussed it, and he modified his original amendment so that an individual would have to be convicted before the prohibition becomes effective.

Mr. Chairman, we accept the gentleman's amendment.

Mr. SMITH of Iowa. I thank the gentleman.

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

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

Mr. GIBBONS. I commend the gentleman for his amendment. I think it is a very fine amendment. I regret that it is necessary to take such action, but I think action is appropriate.

Mr. SMITH of Iowa. I thank the gentleman.

I just want to say it does involve all Federal student finance programs and is not limited to one type of loan or grant.

I do not take particular pride in the language. I think the committee in conference can work out better language, but I want the principle established in the bill.

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

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

Mr. THOMPSON of New Jersey. Mr. Chairman, I find this an acceptable amendment because it requires a conviction. This guarantees due process of law to that person who may be affected by the amendment.

I think, therefore, it is a pretty reasonable amendment on the surface.

Mr. SMITH of Iowa. I thank the gentleman.

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

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

Mr. WAGGONER. Some of us have not had the advantage of having seen this amendment prior to this time nor the advantage of an explanation of it.

The gentleman from New Jersey [Mr. THOMPSON] just now speaks of this not

applying until due process of law has been completed.

I think that this requires then that we have a little explanation before this amendment is adopted because it is conceivable that appeals may be unresolved long after the period of 4 years that some student might be eligible for these benefits.

Mr. SMITH of Iowa. It applies to conviction in any court of general jurisdiction and the prohibition is not delayed pending an appeal in the criminal case.

Mr. WAGGONER. Then would an individual be denied the right of appeal so far as the benefits of this legislation are concerned?

Mr. SMITH of Iowa. Yes.

Mr. WAGGONER. Does the gentleman's amendment carry language which would deny the benefits of the moneys provided in this legislation to those who are not convicted by a civilian court but who were in violation and convicted by a student government group or by the administrative authority of some college?

Mr. SMITH of Iowa. It does not carry an automatic prohibition in that type of case. That would be left up to the institution to determine whether or not they want to make a loan to that person.

Mr. WAGGONER. If I may ask my colleague one other question.

The administration of an individual institution could, in their discretion, should the university regulations be violated, make a loan or a grant to such an individual?

Mr. SMITH of Iowa. They could, provided they have not been convicted in a court of general jurisdiction of the type crime covered. In that event they have no discretion at all.

Mr. WAGGONER. I would like to say to the gentleman that his amendment goes part of the way, but I believe we need to go further. I will support his amendment, but I am going to support another one which I think goes a little further.

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

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

Mr. ROSENTHAL. Did I understand the gentleman correctly to say that the force and effect of this amendment would be in effect without any right of appeal?

In other words, if there was a conviction in the lower court, it would not go into effect some year or so later if the conviction was reversed?

Mr. SMITH of Iowa. This provision has no effect upon the criminal prosecution, but it does have an immediate affect upon his privilege to secure the Government funds or loan.

Mr. ROSENTHAL. I am not so sure that that is what the gentleman really intends.

Suppose the conviction is reversed a year later?

Mr. SMITH of Iowa. In the meantime we have thousands and thousands of applicants who want to go to school and who are not able to go to school because the financial support is not available and I think we ought to give them that priority during that year.

Mr. ROSENTHAL. I am not neces-

sarily disagreeing with that at the moment, but I do think that due process and fair play would indicate that an appeal would lie.

I am really surprised that the gentleman would indicate that he would want to preclude anyone from the right of appeal.

Mr. SMITH of Iowa. I will say that all I am precluding is a person's right to secure Federal money. A student is not prohibited from going anywhere else to secure other financing nor is a school prohibited from permitting him to enroll.

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

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

Mr. WYMAN. If the person appeals and then the conviction is set aside, then he would qualify and his entitlement to a loan would be reinstated, would he not?

Mr. SMITH of Iowa. Yes, he would be reinstated.

Mr. ROSENTHAL. But the time lag involved could be detrimental to the individual.

Mr. SMITH of Iowa. There is also a time lag involved when other students who want to go to school cannot go to school for several days due to other students forcing them away from classes.

Mr. ROSENTHAL. But you are being the judge and jury. It is the same as finding a person guilty without them having any right of appeal. It just does not make any sense to me.

Mr. SMITH of Iowa. I think it is a privilege to receive Government funds for this purpose, and we should not give them to students who then violate the civil liberties of other students by excluding others who wish to secure an education.

Mr. PUCINSKI. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN. The gentleman from Illinois is recognized for 5 minutes.

Mr. PUCINSKI. Mr. Chairman, I want to establish some legislative intent here so we know what we are doing. There is no question that the amendment offered by the gentleman from Iowa is timely and necessary. I think we can say there are hundreds of thousands of decent young people in this country who benefit from these programs and are working their way through school and getting a higher education. As a member of this committee for the last 10 years, I am proud of the role I have played and the contribution I have made in helping this program get through the Congress. I think it is absolutely correct for us today to deal with that small handful of self-styled leaders who can tear up a campus or who can tear up a community in pursuit of what they call their rights.

What about the rights of the thousands of students who want to continue to go to school and who do not want to participate in this kind of activity?

What about those decent students who do not want to see their schools torn up?

What about the young people who are sincere in their purpose, and those young people who believe in the established institutions of this country and the Constitution of this country and who know they can find redress for any grievances

through the orderly process of law instead of lawlessness? I think the gentleman from Iowa has offered a timely amendment.

I want to ask the gentleman from Iowa this question: Do I correctly understand that upon the finding of guilty in any lower court, as of the rendering of that decision, the benefits inuring to an applicant under this act would cease at that time; they could be reinstated at some subsequent date in the event the defendant perfects an appeal and the appeal reverses the original finding. But as of the time the guilty finding is entered by the lower court, would the benefits that inure from this bill at that time cease to this particular applicant? Is that correct?

Mr. SMITH of Iowa. He would get no future benefits. That is correct.

Mr. PUCINSKI. Can we establish further in this House that any rules or regulations issued by the Office of Education interpreting this amendment, in the event this amendment is adopted, such regulations will be published, under the rules of the Administrative Procedures Act, in the Federal Register, and that all interested parties will have an opportunity to comment on them, instead of slipping in with guidelines, as they have been doing, without anyone knowing what they have been doing until they become final, and then they rewrite completely what we in this legislative Chamber have decided? Can we get that?

Mr. SMITH of Iowa. I think that would be a proper contribution.

Mr. PUCINSKI. Then I congratulate the gentleman on his amendment. I know that most of the young people in our colleges and universities are law-abiding, decent citizens who sincerely seek a higher education. I do not believe our entire higher education community should be indicted for the scandalous acts of a few. Most young people are proud of their college or university and condemn the actions of the small minority who have brought disgrace on many of our campuses. I believe these young people who want no part of this recklessness should be protected and I believe this amendment will restore some degree of sanity to our campuses.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. SMITH].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. PIKE

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

The Clerk read as follows:

Amendment offered by Mr. PIKE: On page 2, line 9, after section 201 of the National Defense Education Act, insert the following new paragraph as an addition to section 201 of the National Defense Education Act:

"No part of the funds made available under this section shall be provided to any student who, during the preceding 12 months, engaged in overt acts aimed at disrupting the national defense program of the United States of America. Such acts shall include, but shall not be limited to, defacing or destroying draft cards, disrupting or attempting to disrupt military operations, including the operations of draft centers, or disrupting or attempting to disrupt programs conducted by any institution in cooperation with the Department of Defense. Nothing contained

in this paragraph shall be construed to limit the freedom of any student to verbally express his views on any such law, operation or program. Any issue of fact arising under this paragraph shall be determined by the administrative officers of such institution."

The CHAIRMAN. The gentleman from New York is recognized for 5 minutes in support of his amendment.

Mr. PIKE. Mr. Chairman, a moment ago someone said he thought the Smith amendment was excellent—as did I—but that we ought to go a little further.

This does go a little further. It goes without saying that this is going to arouse a certain amount of opposition. I have discussed it with both sides of the aisle and have had mixed results. A member of the fourth estate has accused me, with the presentation of this amendment, of having come down on the senior side of the generation gap, and this may well be true. But it seems to me that in all fairness to my own children I ought to offer some such amendment.

I have told my own children—and I have one in a little college in New Jersey and one at a nameless place up in Massachusetts—that they can do anything they want to at college. They can tie up the dean. They can do all these things. They can steal papers out of the office. They can do anything, because I am physically unable to prevent them. My son can beat me up, and my daughter is too old for spanking. But, if they do these things, they are not going to do them at my expense. They are going to do them at their own expense—and they are going to relatively expensive institutions.

In this amendment we are not saying anybody cannot do anything he wants to do. We are just saying that if he does these things, overt actions aimed at disrupting the national defense of the United States of America, he is not going to get National Defense Education Act loans.

I think it is a travesty on the whole concept of the National Defense Education Act loans that we should be providing money for people who do these things.

The question has been raised that we do not demand a conviction of a crime. No, we do not demand a conviction of a crime. That is why this goes further. It is an administrative determination made by the college.

How do they get the NDEA loan in the first place? They get it by an administrative determination of the college. The administration determines that they are in need of the loan. And there is no appeal from that. The administration determines they are qualified to get the loan. And there is no appeal from that.

There is not any right to a National Defense Education Act loan. This is a privilege. I think when there are people needing these loans all over the United States of America, we ought simply to provide the administrators with some new criteria, some new and additional criteria, which they can use in carrying out their judgment as to who shall get NDEA loans in the first place.

I think it would be a travesty on justice to allow some worthy people to be

deprived of such loans because there simply are not enough to go around.

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

Mr. PIKE. I yield to the gentleman from Kentucky.

Mr. PERKINS. Mr. Chairman, in his amendment, the gentleman enumerates card burning and interfering with military installations, as types of offenses but the gentleman says, "but not limited to." What other activities does the gentleman's amendment contemplate?

Mr. PIKE. I would say quite frankly, if a student lies down in the street and stops a troop movement, this would be such an activity. I do not pretend to be able to list them all. I would say if a student prevents the normal operations of the ROTC program on campus, this would be such an act.

Mr. PERKINS. Mr. Chairman, does the gentleman agree with me that before we enact blanket authority of this type, we should thoroughly explore the matter, conduct hearings, and specify the offenses and the crimes which we felt should preclude a college student from obtaining a loan.

Mr. PIKE. No, Mr. Chairman, I regretfully do not agree with the gentleman on that, because I think there is a very broad area which do not always constitute crimes, but other things which may well be detrimental to the national defense. I do not think we ought to have to label everybody a criminal. We label people criminals in order to take rights away from them. Here we are merely taking away a privilege and giving it to someone else.

Mr. REID of New York. Mr. Chairman, I rise in opposition to the amendment.

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

Mr. REID of New York. I yield to the chairman of the committee.

Mr. PERKINS. Mr. Chairman, inasmuch as we have numerous amendments along this line, I wonder if we can on this particular amendment agree to close the debate on this amendment in 10 minutes.

Mr. Chairman, I ask unanimous consent for that.

Mr. GROSS. To do what?

Mr. PERKINS. To close debate in 20 minutes.

Mr. GROSS. Mr. Chairman, I object.

Mr. PERKINS. Mr. Chairman, I withdraw my request.

The CHAIRMAN. Objection is heard.

Mr. REID of New York. Mr. Chairman, this is a very sensitive and serious question we are dealing with today, and I believe this particular amendment raises serious questions of constitutionality.

First, it goes back in time. The language includes the following: "During the preceding 12 months."

This raises ex post facto questions in that it deals with conduct in the past, prior to enactment of the statute.

Second, this amendment does not deal with conviction in a competent court of jurisdiction, but uses the words, "engaged in overt acts." And it further deals with "overt acts" aimed at disrupting or attempting to disrupt programs conducted by any institution in cooperation with the Department of Defense.

Perhaps the author of the amendment

has in mind Columbia University in this regard.

I believe, very simply stated, as I said before, that this amendment raises questions of constitutionality. It is unreasonable and quite possibly discriminatory. It does run counter, in my judgment, to the protections of the first amendment, as speech and some kinds of action have been held by the Supreme Court to be so intermingled as to constitute expression protected by the first amendment, symbolic speech.

I believe further that it might touch on the right of the people peaceably to assemble and petition the Government for redress of grievances.

I urge the defeat of the amendment.

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

Mr. REID of New York. I am happy to yield to the gentleman from New Hampshire.

Mr. WYMAN. There is one thing I might observe in connection with the amendment presently pending. It applies to students who during the preceding 12 months might have engaged in some type of activity.

Mr. REID of New York. That is correct.

Mr. WYMAN. This amendment offered by the gentleman from New York is retrospective. It applies to prior acts. It would penalize action taken at a time when there was no such penalty. We have settled constitutional principles to prohibit this sort of thing.

The amendment also talks about overt acts "aimed at disrupting the national defense program." What does "aimed" mean? This is a subjective test. This is a test not specified in the amendment.

While it is undoubtedly possible to improve any amendment when the matter goes to committee, or is considered in the other body or in conference, it is submitted that the Pike amendment, in the way it is presently worded, does not accomplish that which is desired to be accomplished by a majority of the membership of this body.

Mr. REID of New York. I thank the gentleman for his contribution, which I believe is clear and to the point.

Mr. CAREY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I support the language of the amendment offered by the gentleman from New York [Mr. PIKE].

The amendment does not refer to any kind of ex post facto principle. It does not invoke any kind of ex post facto principle. The amendment of the gentleman from New York [Mr. PIKE] in no sense does anything to make these acts a crime, more than they are a crime under the laws of the United States right now. All it would do is suggest, as the gentleman so eloquently said in his presentation of the amendment, that there is here involved a system of benefits, and this system of benefits is conferred based upon definite criteria which are published in journals and adopted as part of university practices and in accordance with criteria laid down by the Office of Education.

They refer to income. They refer to standing. They refer to the educability of the person in the college program. There

are ample criteria now in the law. This just steps up the criteria in the thrust of the NDEA principle of this act, so that in looking for eligible beneficiaries—and we do not have enough money to go around to all of the beneficiaries who seek these benefits—a little priority is given to those who do not engage in violence or disruption against our country.

For the purpose the legislative history of the intent of the amendment which the gentleman offers, am I correct that it refers to students?

I would ask the gentleman, since it refers to funds we give to students under any provision of this act, would the act cover those graduate students who may be faculty members, who certainly know what they are doing? There is no generation gap that exists here. These are well-informed people who are supposed to lead our students. If they are seeking fellowships and seeking NDEA graduate benefits and they engage in these acts, would these grants that are fellowship grants be included in the denial of benefits intended in his amendment?

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

Mr. CAREY. I am glad to yield to the gentleman from New York.

Mr. PIKE. I would answer the gentleman in this way: I believe that it is explicit in the language and it is certainly the legislative intent. If the gentleman will let me say one additional thing, this question has been raised about acts which took place previously. Quite frankly, I happen to believe that the school administrators ought to be considering such acts right now. I think it is only sad that we have to rub their noses in it to determine who should get NDEA loans but the amendment is wholly prospective in that it applies only to loans which shall be granted in the future. They can use criteria which took place in the past. In fact, what a student's marks are when he applies for such a loan is nothing but a criterion that took place in the past.

Mr. CAREY. The gentleman makes it very clear that the NDEA program is by its very nature a selective program. What he does in the selection process is put in some reasonable additional criteria which preserve the spirit of this system of benefits as the NDEA is related to the defense of the country. Therefore, I can find no quarrel with the thrust of the wording of his amendment.

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

Mr. CAREY. I yield to my colleague from Indiana.

Mr. BRADEMÁS. Mr. Chairman, I heard with interest my other friend, the gentleman from New York [Mr. PIKE] speak about a travesty of justice. What I am wondering about is the justice involved in one aspect of his amendment. Maybe he can explain it to me. The NDEA loan program is supposed to be for needy college students. Therefore, they are the only ones vulnerable to seeing a cutoff of their loan funds if such students were determined to be in that category by the college president, under the language of Mr. PIKE's amendment.

Mr. CAREY. I do not yield further, I will say to the gentleman. I do want to

point out to my distinguished colleague from Indiana that there are more needy college students seeking loans than there are loans to go around. I think he knows this, too.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. BRADEMÁS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I do not think my friend, the gentleman from New York [Mr. CAREY], got the thrust of my question, let me explain. If you are a rich student, then you do not need an NDEA loan. There is no penalty at all for such students if they engage, in the language of Mr. PIKE's amendment, in acts such as defacing or destroying draft cards or disrupting military operations and all of the rest of it. The wealthy students would not be vulnerable. I respectfully suggest to him, if he is really anxious to have an act which is equitable and just that he ought to, in all fairness, offer an amendment to the internal revenue code, I suppose—I am not a tax expert—that would impose some sort of a penalty or fine on the rich kid who does not find himself eligible to apply for an NDEA loan and is therefore able freely, without any penalty whatsoever, to engage in all of these acts which are contained in the gentleman's amendment.

Mr. PIKE. Mr. Chairman, will the gentleman yield for a response?

Mr. BRADEMÁS. Of course.

Mr. PIKE. I would simply say to the gentleman that there are right in this bill provisions for loans and grants which are not touched by my amendment. There are student funds made available under the poverty program, which are right in this bill. My amendment seeks only to deny funds to those students who carry on or perpetrate these activities, whether they are rich or poor.

Mr. BRADEMÁS. No, the gentleman's statement is not accurate, for his amendment penalizes only those students who, being needy, qualify to obtain an NDEA loan. His amendment, being confined to needy students, would impose no similar penalty on those students who may also carry on activities which disrupt the operation of the school but who, not being needy, are not vulnerable to having their NDEA loans cut off.

If the gentleman is trying to be fair, he would impose some penalty upon these students as well in the form of an additional tax burden. Otherwise, I find it hard to take his amendment seriously.

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

Mr. BRADEMÁS. I yield further to the gentleman from New York.

Mr. PIKE. I would say, perhaps, the gentleman is correct.

Mr. BRADEMÁS. Then the honorable thing for the gentleman to do would be to come up with a proposal which would apply equitably to rich and poor and not just to needy college students, as his present amendment does.

Mr. PIKE. Will the gentleman really yield to me at this time?

Mr. BRADEMÁS. Of course; for an answer to my question.

Mr. PIKE. I would say to the gentleman that perhaps the gentleman is cor-

rect and that it should apply to all segments of the educational field. I would be inclined to support it. I would penalize any student, rich or poor, who obstructed the national defense in an educational way, whether it is under the NDEA or any other education act.

Mr. BRADEMÁS. In that event, Mr. Chairman, I think the gentleman would be a little more straightforward with us if he proposed an amendment which would provide for penalizing students be they rich or poor. In other words, it would apply to all students. His amendment in its present form is highly discriminatory.

The CHAIRMAN. The time of the gentleman has expired.

SUBSTITUTE AMENDMENT OFFERED BY MR. WYMAN

Mr. WYMAN. Mr. Chairman, I offer a substitute amendment for the amendment offered by the gentleman from New York.

The Clerk read as follows:

Amendment offered by Mr. WYMAN as a substitute for the amendment offered by Mr. PIKE: On page 2, line 15, after section (c), add the following new section:

"(d) No part of the funds authorized under this Act shall be available for or paid out to the benefit of any individual who, at any time after the effective date of this Act, willfully refuses to obey a lawful regulation or order of the university or college which he is attending or at which he is employed when such willful refusal is certified by the appropriate university or college authority to have been of a serious nature and contributed to the disruption of university or college administration. Nothing herein shall be construed to limit the freedom of any student to verbally express his individual views or opinions."

Mr. WYMAN. Mr. Chairman, as one can see from the reading of this amendment, it is offered in an effort to be constructive and to help in working out something in place of the pending amendment—something on which I feel we can all agree.

Mr. Chairman, the thrust of the substitute amendment is to leave administration and control at the academic level. It will be of some assistance to university authorities in dealing with these difficult situations. Essentially it was adopted by the House yesterday in connection with the National Science Foundation appropriation and can be found at page 12253 of the CONGRESSIONAL RECORD.

It requires that no part of the funds authorized under this act shall be available for or paid out to the benefit of any individual who, at any time after the effective date of this act, willfully refuses to obey a lawful regulation or order of the university or college which he is attending or at which he is employed when such willful refusal is certified by the appropriate university or college authority to have been of a serious nature and contributed to the disruption of university or college administration.

Mr. Chairman, in my opinion this language is preferable and helpful especially after we have seen what has happened at Columbia University, for example, where students took over the administration building and refused to get out, and also took over the office of the presi-

dent of the university and took pictures of personal papers taken by them from his desk. This is a sort of conduct toward which my substitute amendment is directed. In other words, in the future when a student willfully refuses to obey the lawful regulations of his university authorities he should know that he will lose any Federal scholarship to which he is entitled.

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

Mr. WYMAN. I cannot yield to the gentleman in the few minutes that I have available. Should I finish in time, I would be glad to yield to the gentleman.

The institution itself retains control of the situation under my substitute. If they certify commission of a serious infraction, then there will be no more Federal scholarship for that student.

I believe this is essentially sound. It does not and cannot hamper the students' right to freedom of speech.

It is hard to say how anyone could object to this reasonable restriction. It is not retrospective as in the case of the amendment offered by the gentleman from New York, which seeks to apply to conduct by a student in the past, at a time when there were no sanctions. Under the amendment offered by the gentleman from New York, to which this is offered as a substitute, the university officials will be the sole judges of the issues and of the facts and they may go back to conduct occurring last summer and say to the student, "Because you engaged in such activity last summer, you are going to lose your scholarship." This is not what we in Congress should provide.

In my substitute amendment the activity must be willful refusal, it must be prospective, it must be refusal to obey a lawful regulation or order of the institution, and it must relate to a serious infraction that results in the disruption of the university administration.

Mr. Chairman, I submit that this is a reasonable compromise, and a desirable substitute, and it is offered in a spirit of cooperation. I hope the House will support it.

Mr. Chairman, I now yield to the gentleman from Maine [Mr. HATHAWAY].

Mr. HATHAWAY. I thank the gentleman for yielding, and I appreciate the substitute amendment offered by the gentleman from New Hampshire, and I believe it is better than the amendment originally offered, but I still have some questions with regard to it.

Does the gentleman mean to say that if a school had a regulation that a student had to attend all classes, and a student willfully cut one class, that he would then be subject to the provisions of this amendment?

Mr. WYMAN. Of course not.

Mr. HATHAWAY. The way the amendment offered by the gentleman from New Hampshire as a substitute is phrased, it does; it says "any regulation."

Mr. WYMAN. No; it does not say just that. If the gentleman will please read the language, in line 8 of my amendment it says "is certified by the appropriate university or college authority to have been of a serious nature and contributed to the disruption of university or college administration."

I am sure that no reasonable college administrator is going to certify as seriously disruptive, conduct such as the gentleman has referred to.

Mr. HATHAWAY. I beg the pardon of the gentleman, but that was the way it was printed in the Record yesterday.

Mr. WYMAN. Yesterday we could not put this language in because it was a limitation on an appropriation measure, and I tried to clarify that in the debate with the gentleman from Illinois [Mr. YATES], the fact that the intent of the limitation was serious infraction disrupting the university.

Mr. HATHAWAY. Will the gentleman yield further?

Mr. WYMAN. I yield further to the gentleman from Maine.

Mr. HATHAWAY. Is the gentleman aware that most of the schools now with respect to NDEA loans can do it now? There is no restriction on the school administrator's decisionmaking ability with respect to the conduct of a student receiving a scholarship; he can take it into consideration or not.

Mr. WYMAN. I understand the gentleman's position, but in this situation it is essential that the university authorities have the added leverage of the expression of the order of the Congress that when this type of activity involves a willful refusal, and there is certification of that fact, that the money authorized by this act may not thereafter be used for such scholarships.

The gentleman knows that these things are hard to control once they get started. We should try to help here. We do not want any restriction on constitutional freedom of speech, but if conduct involves the taking over of a campus and willful trespass in school buildings, along with refusal to obey orders and instructions to go back to class, then the student should know himself that he is not going to continue to get support from the taxpayers. Under my substitute amendment this would be mandatory upon certification.

Mr. STEIGER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. WYMAN. I yield to the gentleman from Wisconsin.

Mr. STEIGER of Wisconsin. Mr. Chairman, may I inquire of the distinguished gentleman from New Hampshire as to what is a lawful regulation, or order, of a university or college?

Mr. WYMAN. A lawful regulation, or order, of a university or college would be a regulation promulgated by the administrative officials entrusted by the charter of that college with the responsibility for making regulations to run the college pursuant to and in accord with the Constitution of the United States and the laws of the State in which the college is chartered.

Mr. PERKINS. Mr. Chairman, I wonder if we could agree on a time limit of 10 minutes to close debate on the pending amendment and all amendments thereto.

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

Mr. GROSS. Mr. Chairman, I object.

Mr. ECKHARDT. Mr. Chairman, I rise

in opposition to the substitute and to the amendment.

Mr. Chairman, I am not so old as not to remember the time when I attended college. I can imagine some situations that existed then, quite different from the situation at Columbia, which would be covered by this amendment.

At that time an editorial was printed in the Daily Texan called "Leeches Don't Like Light." It attacked a local politician. It was considered that this was so disruptive of the university and its administration that the regents passed a rule, just as this amendment would envisage, making it a violation of the university regulations to print any remark in the daily newspaper of the University of Texas that would in any way disparage officials of the State of Texas, thus strictly restricting the students of the University of Texas, it seems to me, in an entirely wrongful manner.

They felt strongly that this type of editorial would disrupt the administration of the University of Texas.

Now I point out to the Members here that what is attempted to be done is to create thousands of tribunals who, on the basis of their own prejudice, may determine what is disruptive to a university. This is not submitted to a court. It is not tried in a hearing. It permits no defense with the right of compulsory attendance of witnesses. It simply permits the predilections of the administration of an institution to determine whether a worthy young man without the money to pay for his own education may go to that institution.

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

Mr. ECKHARDT. I yield to the gentleman.

Mr. WYMAN. Does not the gentleman think that those who preside over a university's management ought to be in a position to judge whether or not they want a particular student to continue there? Or whether or not his conduct contrary to regulations has seriously disrupted the university? He is not being tried for a crime. He is not being prosecuted. The standards for university and college administration are entirely different. The purpose of this substitute amendment is to leave the leverage of the control of the administration with the administrative officials of the university.

Mr. ECKHARDT. My answer to your question, sir, is: No, that the predilections of those who preside over that university's management ought not to be in a position to judge whether or not they want a particular student to go there.

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

Mr. ECKHARDT. I yield to the gentleman.

Mr. THOMPSON of New Jersey. I had the privilege of going to a college or university dominated by the great and wonderful North Carolina Baptists, Southern Baptists in fact. That university or college would still today by its standards consider it to be a serious disruption of the aims and objectives of the university if students were to be caught playing cards or dancing.

I would assume it to be logical then that any youngster who likes to dance or to play cards would not apply to that university and try to get any NDEA assistance if he or she were caught dancing or playing cards—and other things of course were not so prohibitive.

Mr. ECKHARDT. I would assume that that administration thought that was the worst disruption possible in the university.

Mr. THOMPSON of New Jersey. And in the minds and hearts of the wonderful people who control that university, those rules still stand today and they adhere to them.

Mr. ECKHARDT. I would like to say further, if this amendment were passed, it would lead toward a disparity of treatment between those citizens who are attending a university and are poor and can attend only because they can get aid under this bill, and those who are attending the university and who can pay their own way without this assistance.

If we make second-class citizens of those young people of the United States who seek the programs afforded by this Congress, we do a great disservice to the entire structure of our educational system in America, because we tend to select those who are tractable.

If one is guilty of a crime, let it be proven in court and let him pay the penalty prescribed for it. If he be guilty of an infraction of an institution's rules, let his case be heard and decided absolutely independently of whether or not he is a recipient of federally provided loans or benefits. If the offense is sufficiently serious, he may be expelled, regardless of his financial ability to attend college without financial assistance.

Mr. ESCH. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN. The gentleman from Michigan is recognized.

Mr. PERKINS. Mr. Chairman, will the gentleman yield for a unanimous consent request?

Mr. ESCH. I yield to the gentleman from Kentucky.

Mr. PERKINS. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment and all amendments thereto close within 15 minutes.

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

There was no objection.

Mr. ESCH. Mr. Chairman, I think it is very important for us to recognize, as we look at the amendment of the gentleman from New Hampshire, that we are discussing the basic question of academic freedom, that is the right of free inquiry on a college campus. But we must distinguish between freedom of inquiry and license to disrupt, and it is this line that we need to find and walk on our college campuses today.

Certainly on today's campuses traditional structures are being reexamined. Today's students are demanding, and in many cases rightly so, more involvement and participation in the life of the academic community.

Yet, I still believe that attendance at any university in this country, whether it be a private college or a State-sup-

ported institution, is a privilege and not a right. It is a privilege of those who follow the regulations promulgated by the proper authorities within that institution. After due consideration to the views of the students and faculty, the sole discretion for the development and the administration of those regulations rests with the authorities of a given institution, subject to review in the courts.

Our colleges, and indeed our country, then face a crucial test, for while we must not do anything to disrupt freedom of speech, we must not give license to those individuals who would attempt to disrupt that very atmosphere that creates freedom of speech. For freedom of speech also implies certain responsibilities, and those are the responsibilities which can be developed and must be developed by the college administrators and faculty, and they alone must have the discretion to determine that atmosphere of freedom of speech on a college campus, the right of free inquiry, subject always to judicial review.

That is the real issue we are debating today. I would suggest that it is not discrimination in any sense, but it is upholding the very basis of the principle of the right of free inquiry, which is at the heart and the real strength of our system of higher education.

The CHAIRMAN. The Chair recognizes the gentleman from Kentucky [Mr. PERKINS].

Mr. PERKINS. Mr. Chairman, I yield back my time.

The CHAIRMAN. The Chair recognizes the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. I yield back the 1 minute, Mr. Chairman.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. STRATTON].

(By unanimous consent, Mr. STRATTON yielded his time to Mr. PIKE.)

The CHAIRMAN. The Chair recognizes the gentleman from Washington [Mr. MEEDS].

Mr. MEEDS. Mr. Chairman, I rise in opposition to the amendment. I would merely like to point out that under the amendment of the gentleman from Iowa already adopted, conviction for any of the reasons enumerated in the amendment of the gentleman from New York would be automatically taken care of by the operation of the amendment offered by the gentleman from Iowa. I think we have amply protected ourselves in this area and have also protected academic freedom, which I think is essential.

I think these amendments should be defeated.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. SCHEUER].

Mr. SCHEUER. Mr. Chairman, I yield back my time.

The CHAIRMAN. The Chair recognizes the gentleman from Maine [Mr. HATHAWAY].

Mr. HATHAWAY. Mr. Chairman, I rise in opposition to the amendment and the substitute, although I think the substitute is better.

I think what has been indicated by the debate which has gone on here this

afternoon, after adoption of the Smith amendment—which I believe is at least a good start in the direction all of us want to go—is that we need considerably more time to look into many of the questions that have been raised.

This is not the end of the Higher Education Act. This is only a segment of it. I understand further hearings will be held on the remaining portion of the act, and that it should be on the floor in about a month. That will give us ample opportunity to look into these various ramifications of defaulting students from getting loans because of their activities on campus.

This is an important area. The students and the public have rights which have to be protected. I do not think we can give adequate consideration in the brief time we have here this afternoon.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. ANDERSON].

Mr. ANDERSON of Illinois. Mr. Chairman, I should like to indicate my support for the substitute amendment offered by the gentleman from New Hampshire [Mr. WYMAN].

I think the language of the substitute amendment is drawn far more precisely and more clearly than the amendment offered by the gentleman from New York.

I want to say one word about this very curious argument raised by some, that somehow we are discriminating against the poor students and making second-class citizens out of the poor students. That is about like saying that because more poor people violate laws against larceny in this country, that somehow we should not have laws against stealing, because we make second-class citizens of the poor people. That is about as illogical as the argument we have heard that this amendment should fail for that reason.

I think there is a difference between free speech—and the kind of riot and disorder which has convulsed college and university campuses across the length and breadth of our land in recent months. In specifying, "Nothing herein shall be construed to limit the freedom of any student to verbally express his individual views or opinions"—this amendment clearly protects the legitimate rights of free speech. Mr. Chairman, if we would truly witness a rebirth of freedom in our country we must have a renaissance of regard for law. It stands as the difference between true liberty and mere license. Too many of our citizens, young and old alike, have been carried away on a wave of utter permissiveness. Unless this pernicious notion is supplanted by true respect and regard for lawful authority it carries with it the seeds of our own destruction.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. WYDLER].

Mr. WYDLER. Mr. Chairman, I rise in support of the amendment.

(By unanimous consent, Mr. WYDLER yielded his time to Mr. PIKE.)

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. PIKE].

Mr. PIKE. Mr. Chairman, I would simply say, first, that the language preserving freedom of speech is contained in both the amendment and the substitute thereto, and there is no restriction of the freedom of speech in my amendment. It is precisely so stated.

I might be inclined to support the substitute myself, except for the colloquy which took place, in which the author of the substitute admitted that it adds nothing, nothing whatsoever, to the power of the administrative officers in a university to reject an applicant for a National Defense Education Act loan, and it does not add anything.

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

Mr. PIKE. I yield very briefly to the gentleman from New Hampshire.

Mr. WYMAN. Mr. Chairman, I just want to say the gentleman misunderstood whatever colloquy took place between the gentleman from Maine and me. This is a limitation on the funds authorized.

Mr. PIKE. Mr. Chairman, the language offered by the gentleman does not include anything which adds to the present power of a school administrator to say, "No, the student may not have such a loan."

Now, as to those who say that the Smith amendment takes care of all these things, they are just dead wrong. The Smith amendment does not take care of all these things. The Smith amendment does require a criminal conviction in order to cut off such loans.

I am interested only in the NDEA loans. That is all the amendment goes to. I do not think that it should be required that a student be a criminal in order to be denied the National Defense Education Act loans. I think a student should be required to contribute to the national defense, and that is what the gist of this amendment is.

Furthermore, if we are going to require a person be made a criminal in order to deprive him of these funds, we are saying to the people who burned the flag in Central Park, "You can get these loans, because nobody bothered to prosecute you."

We all supported the Smith amendment. I supported it myself.

One does not make anybody a criminal unless one prosecutes some of these things, and there has been no will to prosecute whatsoever.

I hope the substitute will be defeated, because it does not add anything. I hope the amendment will be accepted.

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

Mr. PIKE. I yield to the gentleman from New Hampshire.

Mr. WYMAN. I should like to call the gentleman's attention to the very first part of the substitute, which says:

No part of the funds authorized under this Act shall be available for or paid out to . . .

That covers paying out the funds.

Mr. PIKE. To anybody who does anything under which he can already have the funds cut off. That is what the amendment says. It does not add one thing.

The CHAIRMAN. The Chair recognizes

the gentleman from Kentucky [Mr. PERKINS] to close debate.

Mr. PERKINS. Mr. Chairman, we have just accepted an effective amendment. I see no reason why it is necessary for us to adopt additional prohibitions at this time. The committee will be conducting hearings on this matter and will explore the issues thoroughly. I am deeply concerned about the amendment offered by the gentleman from New York [Mr. PIKE], for I do not think it is specific enough. Many questions will arise about the types of disturbances or offenses which will be of the kind to preclude benefits being extended to students.

We must be specific and we must clearly express our intention or we run the possibility of denying benefits to students whom we really wish to assist.

I have doubts also about the substitute amendment offered by the gentleman from New Hampshire [Mr. WYMAN], although frankly, I would prefer his substitute over the original amendment. But again, I am concerned that there will be numerous problems which will result from our legislating as we are. I am concerned about the impact of these amendments on the guaranteed reduced interest student loan program. What will happen in a State where a student obtains a loan that is guaranteed by the Federal Government or reinsured by the Federal Government? If the student commits one of the offenses being talked about today, will the reinsurance be revoked? Will the Federal guarantee for the loan be revoked? Will the Federal Government cease in its interest subsidy payments? It would appear to me that if these amendments are applicable to the guaranteed student loan program, we stand the risk of being in direct conflict with the objectives of this bill. Many of the provisions in H.R. 16729 are designed to encourage local lenders to participate more fully in the program. It seems to me that if we approve these amendments, which may result in a withdrawal of the Federal guarantee or the Federal reinsurance, then this will be another reason why local lenders will not participate in the program. Commercial banks may be placed in the position where they will not feel secure in making future loans. We must take the time, and I have assured the House today that the committee will take the time, to find satisfactory solutions to these issues. We must do this in an orderly and reasonable fashion.

These are serious incidents which have occurred on college campuses in the last weeks, situations which I consider intolerable. Nevertheless, we must not add to the confusion and turmoil by acting hastily without full consideration of the possible impact of our actions.

The CHAIRMAN. The time of the gentleman from Kentucky has expired. All time has expired.

PREFERENTIAL MOTION OFFERED BY MR. GROSS

Mr. GROSS. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. GROSS moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken out.

Mr. GROSS. Mr. Chairman, up to the point of the limitation of debate to 1 minute each, I am sure I am correct in saying that members of the Labor and Education Committee consumed 90 percent of the time which had previously been consumed on this bill.

I had the assurance, when I permitted the bill to be considered as read this afternoon, that there would not be a severe limitation of debate. I always thought that time for debate ought to be spread around on these bills, particularly among the Members of the House who are not members of the committee. I did not object to the bill being considered as read. That is the condition we are in now.

I have a word of assurance for the gentleman from Kentucky, that the next time he brings a bill to the House floor—I do not care whether it is 50 pages or 150 pages—every period, comma, and word will be read, if I am around here and can get that job accomplished.

Mr. Chairman, little has been said about the cost of this bill, and as I understand it, there is an increase over last year. It is an increase of \$10 million or \$15 million over last year. In other words, we have a billion-dollar bill before as the cost on a 2-year basis.

Let me point out that the House cut the agriculture appropriation bill the other day by 24 percent, but this bill has been increased and will cost approximately \$500 million for each of the next 2 years.

We are confronted with slicing some \$6 billion out of the budget, if a tax increase is to be given consideration.

Where is it proposed to cut the budget? How is it proposed to accomplish a \$6 billion cut in spending unless some of it is taken out of this bill, some of it out of the next bill, and the one to follow that? When is it expected to start practicing some fiscal responsibility around here?

This bill ought to be cut. Every bill must be cut below the spending of last year if Congress intends to meet the financial crisis which confronts this country.

Mr. Chairman, I would like to quote one paragraph from an article that appeared in the Des Moines, Iowa, Register earlier this year. It says:

Nine university graduate students—

And this is at the University of Iowa—who receive NDEA grants, said Thursday they will donate part of their monthly NDEA checks to antiwar organizations.

I would like to ask the gentleman from New Hampshire [Mr. WYMAN] whether his amendment would do anything about students, who are the beneficiaries of NDEA grants, and who donate part of their checks to the antiwar movement in this country.

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

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

Mr. WYMAN. No, sir.

Mr. GROSS. I would like to ask the gentleman from New York [Mr. PIKE] whether his amendment would do anything about these characters?

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

Mr. GROSS. I am glad to yield to the gentleman from New York.

Mr. PIKE. I will simply say that this is an issue of fact to be judged by the Administrator. Under my amendment there is no question in my mind but that my amendment would cover it.

Mr. GROSS. I hope something or somebody will reach out and stop this misuse of funds. It is a sad state of affairs when money is made available for NDEA grants and then it is used for the financing of antiwar demonstrators. What is the purpose of this bill? Is it to provide help to get an education, or what?

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

Mr. GROSS. I am glad to yield to the gentleman from Minnesota.

Mr. QUIE. I have a bit of difficulty understanding how the amendment of the gentleman from New York would apply to NDEA grants. The NDEA grants are made at the fellowship level and I understand the amendment only applies to the loans in title II. Therefore, it would not apply to the question that the gentleman from Iowa inquired about.

Mr. GROSS. Does the gentleman agree with me that something ought to be done about these characters who get these grants from the Federal Government—either loans or grants—and then donate part of the funds they receive to finance demonstrations?

Mr. QUIE. I think something ought to be done, but the decision ought to be in the hands of the college or university administration.

Mr. GROSS. I wrote to the Department of Health, Education, and Welfare to find out whether there was any authority vested in the Government to put a stop to this kind of business. I have a reply to the effect that officials of that department have no power to do anything about it. Well, Congress can do something. It can see to it that the funds are cut to the point that those who administer the program take proper action.

Mr. PERKINS. Mr. Chairman, I rise in opposition to the preferential motion.

Mr. Chairman, first let me apologize to the distinguished gentleman from Iowa [Mr. Gross]. I certainly did not intend to deprive the gentleman of an opportunity to speak on the amendment. In fact, we proceeded under a unanimous-consent request. We certainly have never intended to rush this legislation through the House without it being thoroughly debated. We felt that the request for 15 minutes was reasonable, and, as I indicated, there were no objections at the time that the unanimous-consent request was made.

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

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

Mr. AYRES. Thank you, Mr. Chairman.

I think perhaps we should state that the reason the bill was brought to the floor of the House without any provisions dealing with those provisions under the Wyman substitute or the Pike amendment was because, Mr. Chairman, at that time the situation on our campuses had not reached the problem stage as it has

since this bill was considered in the committee. But I can assure the members of the Committee that had these conditions existed or had we anticipated their happening, that there would have been thorough consideration given to these conditions which, of course, none of us support or condone.

Mr. PERKINS. I wish to concur in the statement of the gentleman from Ohio as to why hearings have not been conducted on this subject. The disruptive events have occurred only recently, the major ones after the subcommittee had completed the markup of the bill.

The CHAIRMAN. The question is on the preferential motion offered by the gentleman from Iowa [Mr. Gross].

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. ROSENTHAL. Mr. Chairman, on that I demand a division.

Mr. WAGGONER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman from Louisiana will state his parliamentary inquiry.

Mr. WAGGONER. Would it not be improper for the Chair to rule before a division is required?

Did the Chair rule?

The CHAIRMAN. The Chair did rule and then there was the request for a division.

Mr. WAGGONER. Then, Mr. Chairman, the gentleman from Louisiana did not hear what the Chairman said.

Mr. McCORMACK. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The distinguished Speaker will state his parliamentary inquiry.

Mr. McCORMACK. Will the Chair state what we are voting on now?

The CHAIRMAN. The vote is on the preferential motion to strike out the enacting clause.

Mr. McCORMACK. Mr. Chairman, a further parliamentary inquiry.

The CHAIRMAN. The distinguished Speaker will state his parliamentary inquiry.

Mr. McCORMACK. Is the Chair asking for the ayes or the noes?

The CHAIRMAN. The noes.

Mr. GROSS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. GROSS. Is it permissible to vote twice on the same question?

The CHAIRMAN. The answer of the Chair is in the negative.

Mr. WAGGONER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. WAGGONER. Did not the Chair tell me in answer to my previous parliamentary inquiry that he had ruled in favor of the "ayes"?

The CHAIRMAN. The Chairman informed the gentleman from Louisiana that he had not.

Mr. WAGGONER. Then the gentleman from Louisiana did not understand the response of the Chair. I was merely seeking a clarification of the situation.

The CHAIRMAN. The question is on

the preferential motion offered by the gentleman from Iowa.

The question was taken; and on a division (demanded by Mr. ROSENTHAL) there were—ayes 6, noes 49.

So the preferential motion was rejected.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from New Hampshire [Mr. WYMAN] for the amendment offered by the gentleman from New York [Mr. PIKE].

The question was taken; and on a division (demanded by Mr. WYMAN), there were—ayes 70, noes 25.

So the substitute amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. PIKE] as amended by the substitute.

The amendment, as amended, was agreed to.

AMENDMENT OFFERED BY MR. SCHERLE

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

The Clerk read as follows:

Amendment offered by Mr. SCHERLE: On page 22, after line 19, insert:

"PROHIBITION OF ASSISTANCE TO PERSONS COMMITTING UNLAWFUL ACTS"

"SEC. 809. No part of the funds authorized under this Act shall be used to provide payment, assistance, or services, in any form, with respect to any individual convicted in any Federal, State, or local court of competent jurisdiction of inciting, promoting, or carrying on a riot, or convicted of any group activity resulting in material damage to property, or injury to persons, found to be in violation of Federal, State, or local laws designed to protect persons or property in the community concerned."

Mr. SCHERLE. Mr. Chairman, the amendment I propose is already law. It is a part of the Health, Education, and Welfare-Labor Appropriations Act for fiscal year 1968. I am proposing to make this amendment a part of the basic law that authorizes the programs funded by that Appropriations Act.

The American people since 1958 have committed hundreds of millions of dollars of their hard-earned tax money to help students attend college and to help teachers advance their professional preparation. This has been one of the best expenditures of tax funds we could have made, and I support the legislation before us to extend the student-aid programs.

But I cannot believe that the American people ever intended that one penny of these funds should be spent to aid those few individuals who are acting to destroy the very colleges and universities they are privileged to attend. We authorize these programs to assist serious students who need help—not to assist rioters and vandals.

The amendment does not attempt in any way to interfere with freedom of expression, or lawful dissent, or freedom of assembly, or any constitutionally protected activity, whether or not it is one with which most of us would agree. The amendment has but one aim—to bar from Federal aid provided by the taxpayer's money those who are convicted—

I repeat, convicted—by a court of competent jurisdiction of a criminal act which destroys property or endangers or destroys human life in the course of any riot or demonstration.

I recognize that it would not be proper or desirable for the Federal Government to tell any university how it should conduct its affairs, or how it should treat students or faculty who violate university rules or the laws of the community or State. But the Federal Government does have a responsibility to the taxpayers to say how, for what purposes, and for whom Federal tax dollars will be expended. In my judgment, it is irresponsible to spend these taxes to support rioters and vandals who stand convicted under law of criminal acts in connection with riots.

The vast majority of American students and teachers are serious, hard-working citizens who deserve every encouragement, including financial aid when they need it. They are not engaged in activities intended to interfere with education. The few who are causing the trouble do not deserve our support, and should not get it. I urge that this amendment be adopted.

Mr. PERKINS. Mr. Chairman, I ask unanimous consent that debate on the pending amendment and all amendments thereto close in 5 minutes.

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

There was no objection.

Mr. PERKINS. Mr. Chairman, I rise in opposition to this amendment. Again I wish to state my position on these issues.

Clearly, there are problems and issues which have arisen just in recent weeks because of the disruption on various college campuses. Earlier today I indicated that the Committee on Education and Labor would consider these matters extensively and conduct hearings. I want to remind the House again that these programs involve over 2,000 colleges and universities and hundreds of thousands of students. They are complex programs involving not only colleges and universities, but local banks and other types of local lending institutions.

Again, I say the reasonable approach, the best approach, is to allow the committee time to find satisfactory and constructive solutions. We should be permitted to conduct hearings, obtain facts, and evaluate the various approaches which may be utilized to meet these issues. We must consider this matter thoroughly.

Mr. Chairman, I hope the amendment will be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. SCHERLE].

The amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair Mr. DONOHUE, 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. 16729), to extend for 2 years certain programs providing assist-

ance to students at institutions of higher education, to modify such programs, and to provide for planning, evaluation, and adequate leadtime in such programs, pursuant to House Resolution 1150, be reported back to the House with sundry amendments adopted by the Committee on the Whole.

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

Is a separate vote demanded on any amendment?

Mr. AYRES. Mr. Speaker, I demand a separate vote on the amendment offered by Mr. WYMAN of New Hampshire as a substitute for the amendment offered by Mr. PIKE of New York.

The SPEAKER. Is a separate vote demanded on any other amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The Clerk will report the amendment on which a separate vote has been demanded.

The Clerk read as follows:

Amendment, on page 2, line 15, after section (c), add the following new section:

"(d) No part of the funds authorized under this Act shall be available for or paid out to the benefit of any individual who, at any time after the effective date of this Act, willfully refuses to obey a lawful regulation or order of the university or college which he is attending or at which he is employed when such willful refusal is certified by the appropriate university or college authority to have been of a serious nature and contributed to the disruption of university or college administration. Nothing herein shall be construed to limit the freedom of any student to verbally express his individual views or opinions.

The SPEAKER. The question is on the amendment.

Mr. AYRES. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 306, nays 54, not voting 73, as follows:

[Roll No. 126]

YEAS—306

Abbott	Burke, Fla.	Duncan
Adair	Burke, Mass.	Edmondson
Adams	Burleson	Erlenborn
Addabbo	Burton, Utah	Esch
Albert	Bush	Eshleman
Anderson, Ill.	Button	Evans, Colo.
Anderson, Tenn.	Byrnes, Wis.	Evins, Tenn.
Andrews, N. Dak.	Cabell	Fallon
Arends	Cahill	Fascell
Ashbrook	Carey	Feighan
Aspinall	Carter	Findley
Ayres	Casey	Fino
Baring	Chamberlain	Fisher
Bates	Clancy	Flynt
Battin	Clark	Ford, Gerald R.
Belcher	Clawson, Del.	Ford,
Bell	Cleveland	William D.
Bennett	Collier	Fountain
Berry	Colmer	Friedel
Betts	Conable	Fulton, Pa.
Blester	Conte	Fulton, Tenn.
Blackburn	Corbett	Fuqua
Blanton	Cramer	Galifianakis
Blatnik	Curtis	Garmatz
Boggs	Daniels	Gathings
Boland	Davis, Ga.	Giaimo
Bow	Davis, Wis.	Gibbons
Bray	de la Garza	Goodell
Brinkley	Delaney	Goodling
Brock	Dellenback	Griffin
Brooks	Derwinski	Griffiths
Broomfield	Dole	Gross
Brown, Mich.	Dingell	Grover
Brown, Ohio	Dole	Gubser
Broyhill, N.C.	Donohue	Gude
Broyhill, Va.	Downing	Gurney
	Dulski	Haley
		Hall

Halpern
Hamilton
Hammer-
schmidt
Hanley
Harvey
Heckler, Mass.
Henderson
Herlong
Hicks
Hollifield
Horton
Hosmer
Howard
Hull
Hungate
Hunt
Hutchinson
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Mo.
Jones, N.C.
Kath
Kazen
Kee
Keith
Kelly
King, Calif.
King, N.Y.
Kirwan
Kleppe
Kornegay
Kupferman
Kuykendall
Kyl
Kyros
Langen
Lennon
Lipscomb
Lloyd
Long, La.
Long, Md.
McClary
McCloskey
McClure
McCulloch
McDade
McDonald,
Mich.
McEwen
McFall
McMillan
Machen
Madden
Mahon
Mailliard
Marsh
Martin
Mathias, Calif.
May
Mayne
Meeds
Meskill

Michel
Miller, Ohio
Mills
Minish
Minshall
Monagan
Montgomery
Morgan
Morris, N. Mex.
Morton
Mosher
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nedzi
Nelsen
O'Hara, Mich.
O'Konski
O'Neal, Ga.
O'Neill, Mass.
Passman
Patman
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Pollock
Pool
Price, Ill.
Price, Tex.
Pucinski
Quile
Quillen
Rallsback
Randall
Rarick
Reid, Ill.
Reifel
Reinecke
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Rooney, Pa.
Rostenkowski
Roth
Roudebush
Roush
Rumsfeld
St Germain
Sandman
Satterfield
Schadeberg

Scherle
Schneebell
Schweiker
Scott
Shipley
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stratton
Stuckey
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Thompson, Ga.
Thomson, Wis.
Tiernan
Tuck
Udall
Ullman
Utt
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waggoner
Walker
Wampler
Watkins
Watson
Whalley
White
Whitener
Whitten
Widnall
Williams, Pa.
Willis
Wilson, Bob
Wilson,
Charles H.
Winn
Wolff
Wright
Wydler
Wylie
Wyman
Young
Zablocki
Zion
Zwack

NAYS—54

Annunzio	Flood	Podell
Ashley	Foley	Rees
Barrett	Gallagher	Reid, N.Y.
Bingham	Gonzalez	Reuss
Bolling	Green, Pa.	Ronan
Brademas	Hathaway	Rosenthal
Brasco	Hechler, W. Va.	Roybal
Brown, Calif.	Helstoski	Ryan
Burton, Calif.	Irwin	St. Onge
Byrne, Pa.	Jacobs	Scheuer
Cohelan	Kastenmeier	Tenzer
Culver	Leggett	Thompson, N.J.
Daddario	Macdonald, Mass.	Tunney
Dent	Mink	Waldie
Diggs	Moorhead	Whalen
Dow	Moss	Wiggins
Eckhardt	Nix	Yates
Edwards, Calif.	Ottinger	
Farbstein		

NOT VOTING—73

Abernethy	Denney	Halleck
Andrews, Ala.	Dickinson	Hanna
Ashmore	Dowdy	Hansen, Idaho
Bevill	Dwyer	Hansen, Wash.
Bolton	Edwards, Ala.	Hardy
Brotzman	Edwards, La.	Harrison
Buchanan	Ellberg	Harsha
Cederberg	Everett	Hawkins
Celler	Fraser	Hays
Clausen,	Frelinghuysen	Hébert
Don H.	Gardner	Holland
Conyers	Gettys	Ichord
Corman	Gilbert	Jones, Ala.
Cowger	Gray	Karsten
Cunningham	Green, Oreg.	Kluczynski
Dawson	Hagan	Laird

Landrum
Latta
Lukens
McCarthy
MacGregor
Mathias, Md.
Matsunaga
Miller, Calif.
Mize

Moore
Morse, Mass.
Nichols
O'Hara, Ill.
Olsen
Pryor
Purcell
Resnick
Rivers

Ruppe
Saylor
Schwengel
Selden
Stubblefield
Teague, Tex.
Watts
Wyatt

So the amendment was agreed to.
The Clerk announced the following pairs:

Mr. Hébert with Mr. Laird.
Mrs. Green of Oregon with Mr. Saylor.
Mr. Rivers with Mr. Halleck.
Mr. Corman with Mr. Frelinghuysen.
Mr. Celler with Mrs. Dwyer.
Mr. Nichols with Mr. Don H. Clausen.
Mr. Kluczynski with Mrs. Bolton.
Mr. Miller of California with Mr. Morse of Massachusetts.
Mr. Matsunaga with Mr. Wyatt.
Mr. Bevil with Mr. Edwards of Alabama.
Mr. Stubblefield with Mr. Schwengel.
Mr. Ellberg with Mr. MacGregor.
Mr. Hays with Mr. Cederberg.
Mr. Abernethy with Mr. Buchanan.
Mr. Gilbert with Mr. Moore.
Mr. Hanna with Mr. Mathias of Maryland.
Mr. Gettys with Mr. Lukens.
Mr. Ashmore with Mr. Harrison.
Mr. Fraser with Mr. Mize.
Mr. Gray with Mr. Latta.
Mr. Holland with Mr. Harsha.
Mrs. Hansen of Washington with Mr. Cunningham.
Mr. Selden with Mr. Denney.
Mr. Andrews of Alabama with Mr. Ruppe.
Mr. Ichord with Mr. Hansen of Idaho.
Mr. Edwards of Louisiana with Mr. Dickinson.
Mr. Teague of Texas with Mr. Cowger.
Mr. Jones of Alabama with Mr. Brozman.
Mr. Watts with Mr. Gardner.
Mr. Landrum with Mr. Pryor.
Mr. Hardy with Mr. McCarthy.
Mr. Olsen with Mr. Dawson.
Mr. Karsten with Mr. Conyers.
Mr. Dowdy with Mr. Purcell.
Mr. Resnick with Mr. Hawkins.
Mr. Hagan with Mr. Everett.

Mr. SCHEUER changed his vote from "yea" to "nay."

Mr. WRIGHT and Mr. DULSKI changed their votes from "nay" to "yea." The result of the vote was announced as above recorded.

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

Mr. GROSS. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. GROSS. I am, Mr. Speaker.

The SPEAKER. The gentleman qualifies.

The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Gross moves to recommit the bill, H.R. 16729, to the Committee on Education and Labor with instructions to report the bill back forthwith with the following amendment: On page 22, after line 19, insert a new section to read as follows:

"Sec. 809. That no funds authorized by this Act shall exceed by 80 percent the sums herein authorized."

Mr. PERKINS. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.
The SPEAKER. The question is on the motion to recommit.

Mr. GROSS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were refused.
The motion to recommit was rejected.
The SPEAKER. The question is on the passage of the bill.

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.
The question was taken; and there were—yeas 349, nays 5, not voting 79, as follows:

[Roll No. 127]

YEAS—349

Abbutt	Dingell	Karth
Adair	Dole	Kastenmeier
Adams	Donohue	Kazen
Addabbo	Dorn	Kee
Anderson, Ill.	Dow	Keith
Anderson, Tenn.	Downing	Kelly
Andrews, N. Dak.	Dulski	King, Calif.
Annuizio	Duncan	King, N.Y.
Arends	Eckhardt	Kirwan
Ashbrook	Edmondson	Kleppe
Ashley	Edwards, Calif.	Kornegay
Aspinall	Erlenborn	Kupferman
Ayres	Esch	Kuykendall
Baring	Eshleman	Kyl
Barrett	Evans, Colo.	Kyros
Bates	Evins, Tenn.	Langen
Battin	Fallon	Leggett
Belcher	Farbstein	Lennon
Bell	Fascell	Lipscomb
Bennett	Feighan	Lloyd
Berry	Findley	Long, La.
Betts	Fino	Long, Md.
Biester	Fisher	McClary
Bingham	Flood	McCluskey
Blackburn	Flynt	McClure
Blanton	Foley	McCulloch
Blatnik	Ford, Gerald R.	McDade
Boggs	Ford,	McDonald,
Boland	William D.	Mich.
Bolling	Fountain	McEwen
Bow	Friedel	McFall
Brademas	Fulton, Pa.	McMillan
Brasco	Fulton, Tenn.	Macdonald,
Bray	Fuqua	Mass.
Brinkley	Galifianakis	Machen
Brock	Gallagher	Madden
Brooks	Garmatz	Mahon
Broomfield	Gathings	Mallard
Brown, Calif.	Gialmo	Marsh
Brown, Mich.	Gibbons	Martin
Brown, Ohio	Gonzalez	Mathias, Calif.
Broyhill, N.C.	Goodell	Mathias, Md.
Broyhill, Va.	Goodling	May
Burke, Fla.	Gray	Mayne
Burke, Mass.	Green, Pa.	Meeds
Burleson	Griffin	Meskill
Burton, Calif.	Griffiths	Michel
Bush	Grover	Miller, Ohio
Button	Gubser	Mills
Byrne, Pa.	Gude	Minish
Byrnes, Wis.	Gurney	Mink
Cabell	Haley	Minshall
Cahill	Hall	Monagan
Carey	Halpern	Morgan
Carter	Hamilton	Morris, N. Mex.
Casey	Hammer	Morton
Chamberlain	schmidt	Mosher
Clancy	Hanley	Moss
Clark	Harvey	Murphy, Ill.
Clawson, Del.	Hathaway	Murphy, N.Y.
Cleveland	Hechler, W. Va.	Myers
Cohelan	Heckler, Mass.	Natcher
Collier	Helstoski	Nedzi
Conable	Henderson	Nelsen
Conte	Herlong	Nix
Conyers	Hicks	O'Hara, Mich.
Corbett	Hollifield	O'Konski
Cramer	Hosmer	O'Neal, Ga.
Culver	Howard	O'Neill, Mass.
Curtis	Hull	Ottinger
Daddario	Hungate	Patman
Daniels	Hunt	Patten
Davis, Ga.	Hutchinson	Pelly
Davis, Wis.	Irwin	Pepper
de la Garza	Jacobs	Perkins
Delaney	Jarman	Pettis
Dellenback	Joelson	Philbin
Dent	Johnson, Calif.	Pickle
Devine	Johnson, Pa.	Pike
Diggs	Jones, Mo.	Pirnie
	Jones, N.C.	Poage
		Podell

Poff	Sandman	Tiernan
Pollock	Satterfield	Tuck
Pool	Schadeberg	Tunney
Price, Ill.	Scheuer	Udall
Price, Tex.	Schneebell	Ullman
Pucinski	Schweiker	Van Deerlin
Quie	Schwengel	Vander Jagt
Railsback	Scott	Vanik
Randall	Shipley	Vigorito
Rarick	Shriver	Waggoner
Rees	Sikes	Walker
Reid, Ill.	Sisk	Wampler
Reid, N.Y.	Skubitz	Watkins
Reifel	Slack	Watson
Reinecke	Smith, Calif.	Whalen
Reuss	Smith, Iowa	Whalley
Rhodes, Ariz.	Smith, N.Y.	White
Rhodes, Pa.	Smith, Okla.	Whitener
Riegle	Snyder	Whitten
Roberts	Springer	Widnall
Robison	Stafford	Williams, Pa.
Rodino	Staggers	Willis
Rogers, Colo.	Stanton	Willson, Bob
Rogers, Fla.	Steed	Wilson,
Ronan	Steiger, Ariz.	Charles H.
Rooney, N.Y.	Steiger, Wis.	Winn
Rooney, Pa.	Stephens	Wolff
Rosenthal	Stratton	Wright
Rostenkowski	Stuckey	Wylder
Roth	Sullivan	Wylie
Rousebush	Taft	Wyman
Roush	Taylor	Yates
Roybal	Teague, Calif.	Young
Rumsfeld	Tenzer	Zablocki
Ryan	Thompson, Ga.	Zion
St Germain	Thompson, N.J.	Zwach
St. Onge	Thomson, Wis.	

NAYS—5

Colmer	Montgomery	Utt
Gross	Passman	

NOT VOTING—79

Abernethy	Frelinghuysen	MacGregor
Albert	Gardner	Matsunaga
Andrews, Ala.	Gettys	Miller, Calif.
Ashmore	Gilbert	Mize
Bevil	Green, Oreg.	Moore
Bolton	Hagan	Moorhead
Brozman	Halleck	Morse, Mass.
Buchanan	Hanna	Nichols
Burton, Utah	Hansen, Idaho	O'Hara, Ill.
Cederberg	Hansen, Wash.	Olsen
Celler	Hardy	Pryor
Clausen, Don H.	Harrison	Purcell
Corman	Harsha	Quillen
Cowger	Hawkins	Resnick
Cunningham	Hays	Rivers
Dawson	Hébert	Ruppe
Denney	Holland	Saylor
Derwinski	Horton	Scherle
Dickinson	Ichord	Selden
Dowdy	Jones, Ala.	Stubblefield
Dwyer	Karsten	Talcott
Edwards, Ala.	Kluczynski	Teague, Tex.
Edwards, La.	Laird	Waldie
Ellberg	Landrum	Watts
Everett	Latta	Wiggins
Fraser	Lukens	Wyatt
	McCarthy	

So the bill was passed.
The Clerk announced the following pairs:

Mr. Hébert with Mr. Laird.
Mr. Miller of California with Mrs. Bolton.
Mr. Rivers with Mr. Halleck.
Mr. Celler with Mrs. Dwyer.
Mr. Albert with Mr. Horton.
Mr. Teague of Texas with Mr. Frelinghuysen.
Mr. Ellberg with Mr. Morse of Massachusetts.
Mr. Bevil with Mr. Burton of Utah.
Mr. Corman with Mr. Cederberg.
Mrs. Green of Oregon with Mr. Saylor.
Mr. Gilbert with Mr. Moore.
Mr. Andrews of Alabama with Mr. Quillen.
Mr. Ashmore with Mr. Harrison.
Mr. Hays with Mr. Latta.
Mr. Selden with Mr. Harsha.
Mr. Nichols with Mr. Mize.
Mr. Walden with Mr. Brozman.
Mr. Hanna with Mr. Cunningham.
Mr. Abernethy with Mr. Talcott.
Mr. Hardy with Mr. Wyatt.
Mr. Edwards of Louisiana with Mr. Cowger.
Mr. Stubblefield with Mr. MacGregor.
Mr. Jones of Alabama with Mr. Don H. Clausen.

Mr. Kluczynski with Mr. Derwinski.
 Mr. Matsunaga with Mr. Denney.
 Mr. Everett with Mr. Lukens.
 Mr. Gettys with Mr. Edwards of Alabama.
 Mr. Landrum with Mr. Dickinson.
 Mr. Ichord with Mr. Hansen of Idaho.
 Mr. Purcell with Mr. Buchanan.
 Mr. Pryor with Mr. Ruppe.
 Mr. Dowdy with Mr. Scherle.
 Mr. Watts with Mr. Wiggins.
 Mr. Hagan with Mr. Gardner.
 Mr. Moorhead with Mr. Olsen.
 Mrs. Hansen of Washington with Mr. Hol-
 land.
 Mr. O'Hara of Illinois with Mr. Hawkins.
 Mr. Resnick with Mr. Dawson.
 Mr. Fraser with Mr. McCarthy.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed, H.R. 16729.

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

There was no objection.

PERSONAL EXPLANATION

Mr. CONYERS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. CONYERS. Mr. Speaker, I have requested this time in order to make the personal explanation that I missed voting on rollcall No. 126. Had I been present, I would have voted "nay."

PERMISSION FOR COMMITTEE ON AGRICULTURE TO FILE REPORT ON H.R. 17216 BY MIDNIGHT SATURDAY

Mr. O'NEAL of Georgia. Mr. Speaker, I ask unanimous consent that the Committee on Agriculture may have until midnight Saturday to file a report on H.R. 17216.

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

There was no objection.

MAKING SUPPLEMENTAL APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE 30, 1968

Mr. MAHON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (H.J. Res. 1268) making supplemental appropriations for the fiscal year ending June 30, 1968, and for other purposes, and that it be considered in the House as in the Committee of the Whole.

The Clerk read the title of the joint resolution.

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

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. Res. 1268

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sum is appropriated out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations for the fiscal year ending June 30, 1968, and for other purposes; namely:

CHAPTER I—DEPARTMENT OF TRANSPORTATION

FEDERAL HIGHWAY ADMINISTRATION

FEDERAL-AID HIGHWAYS (TRUST FUND)

For an additional amount for "Federal-aid highways (trust fund)", to remain available until expended, \$400,000,000 or so much thereof as may be available in and derived from the "Highway trust fund", which sum is part of the amount authorized to be appropriated for the fiscal year 1967.

CHAPTER II—CLAIMS AND JUDGMENTS

For payment of claims settled and determined by departments and agencies in accord with law and judgments rendered against the United States by the United States Court of Claims and United States district courts, as set forth in House Document Numbered 254 as amended by House Document Numbered 258, Ninetieth Congress, \$50,980,863, including \$174,334 payable from the postal fund, together with such amounts as may be necessary to pay interest (as and when specified in such judgments or provided by law) and such additional sums due to increases in rates of exchange as may be necessary to pay claims in foreign currency: *Provided*, That no judgment herein appropriated for shall be paid until it shall become final and conclusive against the United States by failure of the parties to appeal or otherwise: *Provided further*, That unless otherwise specifically required by law or by the judgment, payment of interest wherever appropriated for herein shall not continue for more than thirty days after the date of approval of this Act.

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

Mr. Speaker, chapter II of this bill provides \$50,980,863 for the payment of claims and judgments. This amount previously passed the House in the urgent supplemental bill, H.R. 15399, but that bill has not been enacted into law. These claims are quite urgent and must be paid.

Chapter I relates to the Department of Transportation, and the gentleman from Massachusetts [Mr. BOLAND] is the chairman of the subcommittee that handles appropriations for this Department.

I now yield to the gentleman from Massachusetts.

Mr. BOLAND. Mr. Speaker, the item of \$400 million for the Federal aid to highways was considered by the Department of Transportation Subcommittee, and was unanimously approved by the Members of that subcommittee. As the membership of this House knows, the funds for highway construction are obtained from the highway trust fund, but before funds can be withdrawn from the trust fund they must be appropriated by the Congress.

The \$400 million supplemental amount before the House today is to be derived from the highway trust fund. The Federal Highway Administration indicated to us in the hearings that they would run out of money by next Monday.

The work to be paid for has been done.

The contractors have presented to the various State highway administrators throughout the Nation bills for the work that has been performed.

The Federal share of these bills are obligations of the U.S. Government, and in my judgment—and I believe in the judgment of the committee—they ought to be paid, and this amount should be approved by the Congress.

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

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

Mr. MINSHALL. Mr. Speaker, speaking on behalf of the minority, we are in complete accord with this resolution. As I believe that the gentleman from Massachusetts [Mr. BOLAND] pointed out, the bill passed unanimously in the whole committee.

The money is to come out of the highway trust fund. I would point out that this action will leave, at the end of the fiscal year 1968 a balance of \$930 million in the highway trust fund, after this \$400 million is taken out.

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

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

Mr. HALL. Mr. Speaker, I appreciate the gentleman yielding to me.

Of the \$51 million authorized in this supplemental for fiscal year 1968, I notice, of course, from the committee print of the bill that so much is from the postal fund, and it simply states that more is needed to pay interest, another for judgments, and another is a law passed by the Congress.

Could the gentleman give us a breakdown on this, how this \$51 million will be broken down? Particularly how much of it is allocated to private bills that have passed the Congress?

Mr. MAHON. This has nothing to do with the private bills.

There are Indian Commission claims, and other claims and judgments which have been allowed by the Court of Claims, district courts, and executive departments. Payment of these claims is mandatory, as the gentleman well knows.

Mr. HALL. I do understand that, but I was confused because of the preamble to the second chapter here, wherein it says:

For payment of claims settled and determined by departments and agencies in accord with law and judgments rendered against the United States by the United States Court of Claims and United States district courts.

Et cetera, et cetera.

I would presume that many of the private bills or the reliefs that have been granted would also be covered along with interest and along with these judgments by law, and the courts in the supplemental. If that is not true, and the gentleman is sure, then that relieves my problem.

But I would like to have the \$51 million broken down other than by the \$174,334 payable to the postal fund—if the gentleman has those figures available.

Mr. MAHON. They are set forth in detail in House Documents Nos. 254 and 258.

Mr. HALL. I thank the gentleman.

What relationship is there between the \$600 million cutback made by the administration in January in the highway program and this \$400 million emergency supplemental act?

Mr. BOLAND. This item does not have anything to do with that \$600 million cutback. This relates to actions taken last year.

When the Highway Administrator was before our subcommittee last year, he indicated that they would require a supplemental appropriation of some \$450 million this year because he felt they had underestimated the demands which would be made upon the trust funds at that time. They did come back and this is the amount requested—\$400 million.

Mr. HALL. I appreciate the gentleman's response.

But is the statement true that the program is \$400 million behind because funds at one time frozen were subsequently released?

Mr. BOLAND. This is one of the reasons.

There was a slowdown, as the gentleman from Missouri knows, in the highway program last year. It was a slowdown, I presume, for reasons of holding back expenditures.

Mr. HALL. In view of that admission, is the statement then true that I asked in the beginning, that had that cut not been restored we would not now be enacting an emergency deficiency appropriation bill for the \$400 million?

Mr. BOLAND. No; it is not entirely true, because when the highway administration was before us, it was indicated that the program was underfunded and that they would come in for a supplemental appropriation.

They also indicated that the work speeded up in the latter months of 1967, in part due to fairly good weather to work under with the result the work was performed more rapidly and more work was done and consequently the bills were coming in more rapidly than they anticipated. Also, a new and faster payment procedure was instituted. All of these things resulted in the request for this supplemental.

Mr. HALL. Then, Mr. Speaker, the gentleman is really informing the Members of the House that this is an answer in this very excellent action by the Committee on Appropriations to the Department of Transportation advice of yesterday that all States would have no further matching funds after May 13 unless some such action as this was taken to supplement the 1968 appropriations?

Mr. BOLAND. The gentleman is precisely right.

Mr. HALL. I thank the gentleman.

Mr. GROSS. Mr. Speaker, I move to strike out the last word.

Let me ask the distinguished chairman of the Committee on Appropriations what happens to the \$400 million if this resolution is not passed? Does it stay in this fund sterile? What would happen?

Mr. MAHON. It would remain in the fund.

Of course, the contractors who have performed their services will have to be

paid and this will authorize payment to them out of the highway trust fund. We have to appropriate the money.

Mr. GROSS. I am speaking now solely with reference to the \$400 million in the trust fund.

Would not the President have available to him the trust fund and usage of this money?

Mr. MAHON. I do not believe this could be used for any other purpose.

Mr. GROSS. It would be in this trust fund and it would be held there sterile if we do not do something about it today, is that correct?

Mr. MAHON. The gentleman is correct.

Mr. Speaker, I move the previous question on the joint resolution to final passage.

The previous question was ordered.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

MONDAY HOLIDAYS

Mr. ROGERS of Colorado. 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. 15951) to provide for uniform annual observances of certain legal public holidays on Mondays, and for other purposes.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

Mr. MILLS. 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. 128]

Anderson, Tenn.	Everett	Mize
Andrews, Ala.	Fraser	Moore
Ashmore	Frelinghuysen	Moorhead
Bevill	Gardner	Morse, Mass.
Bolton	Gettys	Mosher
Brotzman	Green, Oreg.	Nichols
Buchanan	Griffiths	O'Hara, Ill.
Burton, Calif.	Gubser	Olsen
Burton, Utah	Hagan	Pool
Bush	Halleck	Pryor
Cederberg	Hanna	Purcell
Celler	Hansen, Idaho	Quillen
Clausen,	Hansen, Wash.	Resnick
Don H.	Hardy	Rivers
Corman	Harrison	Ruppe
Cowger	Harsha	Saylor
Cunningham	Hawkins	Selden
Dawson	Hays	Stephens
de la Garza	Holland	Stubblefield
Dellenback	Irwin	Talcott
Denney	Jones, Ala.	Teague, Tex.
Dent	Karsten	Tuck
Dickinson	Kastenmeier	Waldie
Dowdy	Kluczynski	Watts
Dwyer	Landrum	Wiggins
Edwards, Ala.	Lukens	Willis
Edwards, La.	MacGregor	Wright
Ellberg	Matsunaga	Wyatt
	Miller, Calif.	

The SPEAKER. On this rollcall 345 Members have answered to their names, a quorum.

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

MONDAY HOLIDAYS

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

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. 15951, with Mr. CHAIMO 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 Colorado [Mr. ROGERS] will be recognized for 1 hour, and the gentleman from Illinois [Mr. McCORMY] will be recognized for 1 hour.

The Chair recognizes the gentleman from Colorado.

Mr. ROGERS of Colorado. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, the plain explanation of this bill is to be found on page 4 of the committee report.

At the present time we have eight national holidays. We propose an additional holiday to be known as Columbus Day, thereby making nine national holidays.

In addition to that we propose to make Washington's Birthday, Memorial Day, Columbus Day, and Veterans Day fall on a Monday.

That is the full intent of this bill. It has been discussed in Congress for a long time. We had extensive hearings for 4 days in Subcommittee No. 4 of the House Committee on the Judiciary and received much favorable testimony.

Mr. Chairman, I have a telegram from the Denver Chamber of Commerce, signed by James O. Hickman, which reads as follows:

DENVER, COLO.,
May 7, 1968.

HON. BYRON G. ROGERS,
Rayburn House Office Building,
Washington, D.C.:

The Denver Chamber of Commerce urges passage of H.R. 15951 for uniform Monday holidays. It will reduce absenteeism, improve employee morale, and promote traffic safety. It will enhance Colorado's tourist industry by making a Colorado week end vacation available to more persons from population centers of the United States.

JAMES O. HICKMAN,
President, Denver Chamber of Commerce.

Mr. Chairman, the bill before us today embodies the collective judgment of the Committee on the Judiciary with respect to the manner in which Congress ought to respond to the strong public desire for a Monday holiday program. Although it is a bill which will bring about some changes in holiday observances, in formulating this program our committee has been careful to avoid any change which would do violence to our Nation's great history and traditions.

As all of us know, the 90th Congress has seen the introduction of a wide variety of proposals calling for the observance of public holidays on Monday. If all of these proposals were combined, the effect would be to change the date of observances of each one of our eight pub-

lic holidays. In the deliberations of our committee we concluded that a complete Monday holiday program would not be in the national interest since there are some holidays such as the Fourth of July, Christmas Day, New Year's Day, and Thanksgiving, the specific dates of which are deeply embedded in our traditions—and in some cases, have a religious significance.

In addition to a wide variety of proposals for the establishment of Monday holidays, the 90th Congress has also seen the introduction of almost 500 bills calling for the new observance of additional holidays and other commemorative events. Obviously, if any new holidays are to be created, we in the Congress are faced with the difficult task of being selective.

H.R. 15951, has bipartisan support and was formulated after extensive hearings and the most careful evaluation. It is a moderate proposal which would serve a twofold purpose. On the one hand, it would provide for the annual observance on Mondays of George Washington's Birthday, Memorial Day, and Veterans Day. On the other hand, it would establish an additional public holiday in honor of Christopher Columbus—a holiday which would also be observed on Monday.

First, if I may, I would like to discuss the benefits which our citizens will derive from the Monday holiday features of this bill. Second, I would like to review for you the considerations in favor of the observance of Columbus Day as an additional public holiday.

One of the principal advantages of the observance of holidays on Monday is the increased enrichment which such observances will bring to the family life of our Nation. In our complex, highly industrialized society we have witnessed a growing tendency for families to become separated. Sons and daughters often venture great distances from the homes of their parents in pursuit of educational and occupational advantages. Grandparents in many families rarely have the opportunity to enjoy the company of their grandchildren. At the same time, within the immediate family unit fathers are often called upon to commute considerable distances to their jobs, diminishing the number of precious hours available for family togetherness.

The proposed Monday holiday program will help to ameliorate these conditions. It will provide the many families that are geographically separated with greater opportunities to come together. It will also provide increased opportunities for the enjoyment of recreational facilities and the development of cultural activities in which the whole family can participate.

I believe that these benefits are obvious and are known to each of us. Indeed, no one can deny that under our present holiday program we get a special enjoyment out of those holidays which now fall, by chance of the calendar, either immediately before or immediately after a weekend. The present bill would merely serve to remove the element of chance, and provide for several 3-day weekends on a regular and planned basis.

While enriching our Nation's family

life, the Monday holiday program will also enrich our economic life. In this regard, our committee heard extensive testimony both from representatives of business and from labor. The evidence is conclusive that the Monday Holiday program will stimulate greater industrial production and contribute to an increase in our gross national product. It will reduce employee absenteeism and contribute to increased employee morale. Both the employer and the employee will benefit and neither at the expense of the other.

Turning now to the second feature of the bill, the establishment of Columbus Day as a public holiday, which would also fall on Monday. Let me first point out that of all the proposals before the Congress for the establishment of additional holidays, there is none which enjoys the same widespread popularity that is enjoyed by the Columbus Day proposal. Unlike any of the other proposed new holidays, a Columbus Day observance has already been established as a matter of law in some 34 of our States. As a result, it is currently being celebrated by more than 75 percent of our Nation's population.

Now there is an obvious explanation for this great popularity of Columbus Day. Our late President Kennedy often described us as a "nation of immigrants." It has been our immigrant spirit—our continuous striving to broaden our horizons in search of new experiences and new frontiers—which has given our history its distinctive flavor. This same spirit has also caused us to represent to the world prospects of new hope and new freedom. Columbus' voyage to America has come to be an important symbol of this immigrant spirit. Since this symbol has already been adopted by most of our State legislatures in State laws calling for the celebration of Columbus Day, we in the Congress ought properly to add our voices in affirmation of the significance of this occasion.

When the proposed bill is considered in its entirety, there can be no doubt that the whole program has the support of an overwhelming majority of our citizens. In this regard, I would like to point out that at the hearings we held on Monday holidays strong support for such a program was expressed by a wide variety of associations including such diverse groups as: the U.S. Chamber of Commerce, the National Association of Manufacturers, the American Federation of Government Employees, the National Retail Federation, the National Association of Travel Organizations, the International Amalgamated Transit Union, and the National Association of Letter Carriers. In addition, we received testimony favoring Monday holiday legislation from the representatives of the Department of Labor, the Bureau of the Budget, the Department of Commerce, and the U.S. Civil Service Commission.

Under all of these circumstances, I am thoroughly convinced that the bill before us embodies a holiday program which is highly responsive to a strong public need. It is a program that preserves and reaffirms our traditions—while affording greater opportunities for

a fuller participation in holiday observances by all of our citizens, I, therefore, urge all of my colleagues in this body to give this measure their complete support.

Mr. Chairman, I ask unanimous consent that the gentleman from Pennsylvania [Mr. EILBERG] may extend his remarks at this point.

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

There was no objection.

Mr. EILBERG. Mr. Chairman, I am convinced that H.R. 15951, making provisions for most holidays to fall on Mondays, should be enacted.

Much support for this legislation has already been shown. Polls of businessmen and the public both indicate that most Americans would like Congress to provide that all nonreligious holidays be celebrated on Mondays. This would mean 3-day weekends.

The support for this provision has been shown by two specific polls. One was conducted by the National Chamber of Commerce among its membership, and the other by *This Week* magazine. The chamber survey recorded 85 percent of its 10,000 respondents were in favor of making most holidays fall on Monday, while more than 180,000 readers-at-large responded in favor and only about 10,000 persons expressed opposition to uniform Monday holidays.

Why do people apparently prefer Monday holidays? They may feel that they can get more accomplished—take the family fishing or visit relatives or finish those nagging do-it-yourself chores. A midweek holiday simply does not, and never will, offer the variety of activities and creative opportunities that a longer holiday period makes available.

Monday holidays, in addition to the benefit to the worker, also offer attractions to the executives charged with getting the work completed. People seem to work better when the week is not broken up, and there are fewer sudden illnesses or time-off requests when the holidays are not interrupting normal midweek schedules.

Most of our nonreligious holidays are neither historically accurate nor traditional, so there is no reason not to change them. Why celebrate George Washington's birthday on February 22 if, under the calendar at the time, he was really born on the 11th? Why do we celebrate Independence Day on the 4th of July? It was July 2 when the Continental Congress actually adopted the resolution of independence, and it was July 19 when Congress ordered the document engrossed.

Since few of our holidays are historically accurate, since many of them have had to be adjusted because of changes in calendar usage, let us be realistic about our approach to legal public holidays. Let us celebrate New Year's Day, as always, January 1. Let us, however, celebrate Washington's birthday the third Monday in February, and Memorial Day the last Monday in May. We should continue the celebration of Independence Day on July 4, regardless of its accuracy because the date bears such traditional significance.

Labor Day, always that eagerly awaited first Monday in September, already stands as a Monday legal holiday. Columbus Day should be made a legal holiday as well. Let us observe it on the second Monday in October, and Veterans Day on the fourth Monday of that same month.

To finish out the year's holidays, we have Thanksgiving and Christmas, both of which should maintain their traditional dates of celebration.

All holidays not bearing traditional dates for observance should be uniformly celebrated on Mondays. It is rare that Congress is called upon to approve a measure which has mustered so much support from the American public. I urge your support of H.R. 15951.

Mr. ROGERS of Colorado. Mr. Chairman, I ask unanimous consent that the gentleman from Pennsylvania [Mr. BARRETT] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. BARRETT. Mr. Chairman, when I first came to the Congress, 22 years ago, the first bill I introduced was to establish a national holiday to honor Christopher Columbus. Many States today already observe Columbus Day as a State holiday. I am most pleased that H.R. 15951, which provides for Monday observance of certain national holidays, establishes a national holiday in honor of Columbus which would be observed on the second Monday in October.

I would also take this opportunity to announce that I have today introduced a proposal to establish a national holiday in honor of the late Rev. Martin Luther King, Jr., as well as a bill to establish a national holiday in honor of the late John Fitzgerald Kennedy, the 35th President of the United States.

The passage of H.R. 15951 would allow for the people of this great Nation to appropriately enjoy our national holidays. By celebrating them on a Monday, it provides an extended weekend so that one can completely relax from the hectic activities of the week and of daily living. A family can plan to be together and properly observe the occasion. In addition, passage of this bill should have favorable results in terms of efficiency in plant operations of our industries and improved employee morale. I urge the support and passage of H.R. 15951.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. McCLORY].

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

Mr. Chairman and Members, I realize the hour is late and I do not want to take a lot of time. I am sorry that the bill is coming up at this late hour. I did not plan it that way but the bill is scheduled at this time and it is being considered.

I do not want to suggest that this is not an extremely important piece of legislation. It is important to the families of America. It is important to the businesses of America. It is important to the cultural, social, spiritual, and educational life of America. It is an important piece of legislation for us to consider at

this hour. Now is the time for us to act favorably upon it.

First of all, let me express my appreciation to the chairman of our subcommittee and to the chairman of the full committee for the great amount of time that was extended to provide for hearings where support from all for this legislation was shown.

There was one witness against the uniform Monday holiday bill—just one. He was a witness representing the Lord's Day Alliance.

Now let me just say this in response to that.

I received a letter from an elder in the St. Mark's Presbyterian Church of Lubbock, Tex., which I think represents what the religious and spiritually-minded people of America think with regard to this bill.

That letter reads as follows:

St. Mark Presbyterian Church is a small congregation of approximately 125 family units, and is affiliated with the Presbyterian Church, U.S. The officers of our congregation have authorized me to write to you and other public officials mentioned in the enclosed correspondence for the purpose of expressing our view on its content.

That is the uniform Monday-holiday bill. The letter reads further:

I would like first to say the Lord's Day Alliance of the United States is an unknown organization insofar as our congregation is concerned. We have not been able to discover upon what authority it seeks to represent our church or the views of the people of our church.

Our officers have expressed the belief that this legislation which would change certain holidays and provide for at least six legal holiday week ends a year is good legislation, and we do not consider valid the argument which the Lord's Day Alliance of the United States expresses against this legislation.

I would like to emphasize, first of all, what this legislation does, because I think there is a misconception on the part of some of the Members as to what it does. It only changes title V of the United States Code affecting holidays in the District of Columbia and with regard to Federal employees. It does nothing with regard to Christmas Day, the Fourth of July, Thanksgiving Day, or New Year's Day, and, of course, not with respect to Labor Day. It merely changes the dates upon which certain holidays are celebrated.

We are not changing George Washington's Birthday, although there is some doubt as to the exact date of his birth. But we are changing the date when his birthday will be observed to the third Monday in February.

We are providing that Memorial Day shall be celebrated on the last Monday in May. Memorial Day has been celebrated on a number of different dates throughout the year. It is still celebrated on dates other than the 30th of May in some States of the Union. Five or six States celebrate it on some other date. But this bill will provide that Memorial Day will be celebrated on the last Monday in May.

Veterans Day, which is now celebrated on November 11, would be celebrated on the fourth Monday in October. The bill would add one new holiday Colum-

bus Day, on the second Monday in October.

Let me ask, first of all, why are we adding a new holiday? That is a very good question and I want to answer it specifically. We are adding a new holiday, Columbus Day, to commemorate not only Christopher Columbus, but everyone who came to this country either as discoverer, explorer, citizen, settler, or pioneer.

Thirty-four States of the Nation now observe Columbus Day. So we are not making a great change insofar as making this a national holiday.

What effect do you think it has on the Federal employees when they work in a State which observes Columbus Day where the State employees, private industry, and banks are not available to transact business? Naturally they take a holiday. So it is going to have very little effect on the Federal employees in those States. It is going to have a beneficial effect in that Columbus Day will be observed on the second Monday of October, and it will not add another midweek holiday.

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

Mr. McCLORY. I yield to the gentleman from Indiana.

Mr. ROUDEBUSH. I would like to know if the gentleman would explain why Veterans Day was moved from November to October. There must be a logical reason behind that proposal. Traditionally, as you know, it has been celebrated on Armistice Day, November 11, and to change months for a national holiday of this type I do not understand.

Mr. McCLORY. I will answer the gentleman in this way: Originally a suggestion was made that Veterans Day should be changed to the spring of the year because there is a long period of time between Washington's birthday in February and Memorial Day when there is no holiday. We considered, first of all, whether we should have Veterans Day celebrated in March or April. This is a day which is to honor all of our veterans and, of course, Armistice Day relates only to World War I. It has been changed from Armistice Day to Veterans Day to commemorate all veterans. For many reasons which I will not enumerate it was not possible to change Veterans Day to the spring of the year. By designating it the second Monday in November, we would bring it very close to Thanksgiving Day and it might interfere with election day. So we made it the fourth Monday in October, which is fairly close to the present Veterans Day. It will never be on Halloween and it will never interfere with a national election. It would still be 4 weeks, I believe in every instance, from Thanksgiving Day.

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

Mr. McCLORY. I yield to the gentleman from Indiana.

Mr. ROUDEBUSH. You have not affected Lincoln's Birthday, have you?

Mr. McCLORY. We have not affected Lincoln's Birthday. There was a proposal made that we should commemorate all Presidents on a day which would be called "Presidents Day." But that was considered and was rejected. Since

George Washington's Birthday is a national holiday for Federal employees now, we retained George Washington's Birthday on the third Monday in February.

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

Mr. McCLODY. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. Mr. Chairman, at the present time Lincoln's birthday is not a holiday, so we do not change it in any manner whatsoever. So that there will not be any question about what the gentleman from Indiana was referring to in respect to Lincoln's birthday, it is because it is not a national holiday.

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

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

Mr. GROSS. Would it be possible, does the gentleman think, to put all holidays over to Tuesday and thus establish 4-day holidays?

Mr. McCLODY. Mr. Chairman, I am not going to answer the gentleman's question, because the gentleman is being facetious about the legislation, and this legislation merits serious and heartfelt consideration. I do know there is an attitude on the part of some to make light of the legislation. But, in my opinion, this legislation is very serious and very important. It affects the lives of all our citizens. I hope it will be considered in that light.

Let me say this. I understand there was a telegram or letter sent from an American Legion executive director. I would like to say something on behalf of the men in the service today, because I have had some communication with them. I have in my district the largest Naval training center, I believe, where we have about 40,000 men stationed all the time. From my communication with some of them I know that they want sincerely to have Monday holiday legislation. They want the opportunity, when they have a long weekend to visit their folks, to visit with their wives and loved ones. They want to have the opportunity for their families to be able to come and visit with them at Great Lakes and at Fort Sheridan, from States like Ohio, Indiana, and Missouri, and other nearby States. An opportunity could be afforded them to have visitors on these long weekends. That is the overwhelming view of those I communicated with who are in uniform and in the service today.

I know it has been suggested that it is dangerous, that it is going to increase traffic fatalities. I have put statistics into the RECORD of May 6 which emphasize very definitely that that is not the case.

According to a Federal highway study that was made, it was shown that the most critical time, the most dangerous time to be on the highway is on a single midweek holiday. A 3-day weekend holiday is much safer insofar as any one of these holidays is concerned. That is supported by the statistics.

I want to emphasize again this is something important to the young people of our country, providing an opportunity for members of families to be together. They do not have to travel. They can travel and visit the historic sites, but

they do not have to. They can stay at home and work on family projects and have the benefit of the families' being together.

Mr. Chairman, I know the Members are anxious to vote on this, and I want them to vote on it, and I am anxious to have them vote on it soon.

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

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

Mr. ARENDS. Mr. Chairman, when does this bill become effective?

Mr. McCLODY. This would become effective on January 1, 1971. I am glad the gentleman asked that, because the reason for postponing the effective date of this legislation is to enable the people to work out their schedules with respect to accommodating to this legislation, and to enable the State legislatures to follow the pattern which we are setting if they choose to do so. All the State legislatures will have had that chance by January 1, 1971.

Our failure to act is apt to cause some confusion with regard to Monday holidays, because one State, Massachusetts, has already enacted Monday holiday legislation, and 9 or 10 other States have legislation pending. As a matter of fact, New York State is deferring action on their Monday holiday legislation, awaiting action by Congress, so they may take similar action.

Mr. ARENDS. Mr. Chairman, I had not completed my question to the gentleman. I know it is not the fault of the gentleman, but if this does not take effect until January 1, 1971, what are we doing here today, tonight, staying here to try to pass this bill?

Mr. McCLODY. Let me answer that. I did not ask to have the bill called at this hour, but I repeat this is important legislation to consider at any hour and it is up now. I want it to be considered seriously and I hope favorably.

Mr. Chairman, first let me express my appreciation to the gentleman from Colorado [Mr. ROGERS] for the thoughtful and conscientious chairing of the hearings on the uniform Monday holiday bill, as well as on the Columbus Day legislation, both of which were before the subcommittee of which he is chairman; and to the chairman of the committee, the gentleman from New York [Mr. CELLER], for his willingness to understand and permit this bill to be reported favorably by the committee for consideration by this committee.

I am also grateful, Mr. Chairman, to the 15 cosponsors of this legislation, and particularly to the gentleman from New York [Mr. STRATTON], the gentleman from New Jersey [Mr. RODINO], the gentleman from Ohio [Mr. McCULLOCH], and the gentleman from Illinois [Mr. ANNUNZIO], for the special interest they have shown in this measure.

Let me mention at this time that this legislation has been revised substantially since it was originally introduced. Let me also point out that the bill will not affect any religious holidays. Christmas Day will continue to be celebrated on December 25, Thanksgiving Day on the fourth Thursday of November, and our

Independence Day, on July 4. In addition, I would like to explain that the legislation affects only Federal employees and the District of Columbia.

Section 6103(a) of title 5 of the United States Code designates these eight Federal legal holidays: New Year's Day, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, and Christmas Day. Of these eight, Labor Day is already celebrated on Monday, the first Monday of September.

New Year's Day, Independence Day, Thanksgiving Day, and Christmas Day will remain as they are at present under this bill. Changes are being made only with regard to the observance of Washington's Birthday, to be celebrated on the third Monday in February; Memorial Day, to be celebrated on the last Monday in May; and Veterans Day, on the fourth Monday in October.

In addition, the measure establishes Columbus Day as a new legal public holiday, to be celebrated on the second Monday in October.

Let me emphasize that we are establishing Federal legal holidays. We are not changing any birthday or rewriting the history of any event that has occurred in the past. No one is being asked to admit that George Washington was born on any day other than February 22 under the existing Gregorian calendar. Indeed, his birthday will be celebrated frequently on February 22, which in many cases will be the third Monday in February. It will also be celebrated on February 23, just as it is at the present time when February 22 falls on the Sunday preceding.

As a matter of fact, I am informed that George Washington's birthday was celebrated for the first time on February 23, when Count de Rochambeau, who was in charge of the French forces in the Revolutionary War, decided in 1792 to designate George Washington's birthday as a time for honoring the revolutionary forces. February 22 fell on a Sunday in the year 1792, and the celebration consequently occurred on Monday, February 23. In other words, George Washington's birthday was a "Monday holiday" before it was a Tuesday, Wednesday, Thursday, or Friday holiday.

It is interesting to recall that George Washington was in fact born on February 11 under the calendar that was used in the United States at the time of his birth in 1732. Upon adoption of the Gregorian Calendar in 1752, all calendar dates were advanced 11 days, and George Washington thereafter selected February 22 as his birth date.

It is interesting to note that in Canada, the Queen's birthday is always celebrated on a Monday—the first Monday preceding May 25. Indeed, Canada also celebrates two other holidays on a Monday—Thanksgiving Day, the second Monday in October, and civic holiday, the first Monday in August. These have received overwhelming support from the Canadian population.

Memorial Day has been celebrated on various dates in the spring of the year, and the date of May 30 appears to have been designated by Gen. John A. Logan in 1868 while he was serving as the first

Commander in Chief of the Grand Army of the Republic. He designated May 30, 1868, as "Decoration Day."

Today most of the States appear to follow this pattern. However, June 3 is designated as Memorial Day in Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, South Carolina, Tennessee, Texas, and Arkansas.

Under this bill, the last Monday in May would be designated as Memorial Day and, of course, this would occur on May 30 in a number of years, and would seem to provide an appropriate time for honoring all veterans who have fallen in line of battle.

Veterans Day is observed as a national holiday to provide recognition for veterans of all wars. Its designation on the fourth Monday of October would fall at least 4 weeks before Thanksgiving—to be celebrated on the traditional fourth Thursday in November—and this Monday holiday would never interfere with any State or National election day.

Furthermore, the fourth Monday in October will never coincide with Halloween.

Most important, the opportunity for appropriate annual observances will be greatly augmented by establishing Veterans Day on the fourth Monday in October. It will certainly enable more persons to travel to Arlington National Cemetery, to Gettysburg, and to many of our other historical sites for appropriate observances.

This measure also establishes a new holiday—on the second Monday in October—Columbus Day.

The support for designating Columbus Day as a national legal holiday is borne out by the hearings of the committee, including the testimony and statements of 33 Members of this House.

Legislatures of 34 States have already established Columbus Day as a holiday. Indiana and North Dakota have designated October 12 as "Discovery Day" and the State of Wisconsin has designated it as "Landing Day."

Of course, Columbus Day will be included as a holiday for Federal employees and the District of Columbia under this bill.

It is alleged that this part of the bill may result in some expense to the Federal Government. However, the record shows that no additional Federal appropriations will be required. All except about 5 percent of our Federal employees are paid on an annual basis and observance of Columbus Day will not affect the cost of paying these employees.

I am of the opinion that in those 34 States where Columbus Day is already a holiday, a great many Federal employees already take this day off.

On the other hand, I should point out that substantial savings that will result from the designation of this holiday on a Monday. Absenteeism will be eliminated. Sick and annual leave will be reduced. The inefficiency that results when most employees stay home on a Monday before a holiday or the Friday after a holiday will be avoided. These and many other economic benefits would seem to more than compensate for the designation of Columbus Day as a holiday, just

as some 34 State legislatures have already done.

There are many valid reasons why Columbus Day should be honored as a national public holiday. Certainly, the discovery of this great continent, by Christopher Columbus, is reason enough to set aside that one day for this special observance. In addition, it seems to be appropriate to honor one day in memory of all of the intrepid voyagers who journeyed to the New World as discoverers, settlers, pioneers, and citizens.

This is not intended to disparage in any way the feat of Leif Ericson in being the first to come to the New World. We may ask why we should not honor Leif Ericson instead of Christopher Columbus. Indeed, it was brought out in testimony before the committee that St. Brendan, a brave man from Ireland, may have arrived before Columbus. But, to quote from the testimony:

When Columbus discovered America, it stayed discovered.

It is reported that many nationalities were represented in Columbus' crew. So, in effect, by designating Columbus Day as a national holiday, we honor the Irish, the Spanish, Portuguese, Negroes, and others, who came to this continent in the earliest days of its discovery and settlement.

We may ask again why Columbus Day should be designated a new holiday, to be celebrated on the second Monday in October and not on October 12.

It is my strong feeling that the economic and practical advantages of celebrating a holiday such as this on a Monday outweigh the historical significance of the date of Columbus' birth, and that appropriate honor can be bestowed on Christopher Columbus and all others whom we honor on the second Monday in October of each year. Of course, this observance will be on October 12 in a number of years, and October 13 in a number of other years, when October 12 falls on a Sunday.

It seems to me that the logic of this legislation is most convincing when we consider its effect on the American home and family. If there is one reason above all others that appears to adversely affect the morals and development of families and family life, it is the modern day influences that tend to keep family members apart. Monday holidays should provide cogent reasons for members of family units to be joined together—for those who may live some distance from home to be reunited with their loved ones, for family projects around the home, for enjoyment of hobbies and other family activities, which require time for planning and execution.

In addition, of course, the 3-day weekends will provide opportunities to visit historical, cultural and recreational sites, to enjoy the observances of Memorial Day and Veterans Day at famed battle-grounds and monuments associated with these particular national holidays. And, in my State, the opportunity for visiting the colorful and inspirational Land of Lincoln, particularly in this year of the Illinois sesquicentennial. Lincoln's home, the original restored State Capitol in Springfield, and the restored com-

munity of New Salem, will inspire our sons and daughters with the spirit of America and the great Emancipator.

Let me say emphatically that holidays take on much greater meaning and their observance is more respectful and more comprehensive when the celebration occurs on Monday, after careful preparation on the previous Saturday or Sunday. Think for instance of the Veterans Day parade or Memorial Day observance that takes place following the preparatory work of the 2 preceding days. Think also of the opportunities for honoring persons of particular significance at such observances. This, of course, applies equally to the observance of George Washington's Birthday on a Monday, and the chance to visit Mount Vernon where he lived, or Williamsburg where he served in the House of Burgesses, or Philadelphia where he served as President of the Constitutional Convention, or Yorktown where he received the surrender of Cornwallis. Treks to any or all of these places by many persons would be possible on Washington's Birthday if the celebrations could take place on the third Monday in February.

Of course, this could not occur under the present system where Washington's Birthday is observed as it was this year—on a Thursday, or on a Tuesday or Wednesday of the week.

The most frequent objection to the Monday holiday proposal appears to be that a greater number of traffic accidents and fatalities occur during 3-day weekends.

While you can establish a great many things by statistics, I want to emphasize that the record does not bear out the charge of the accident rate as alleged by some opponents of this legislation. This statistical information was inserted in the RECORD on Monday for the benefit of the membership, as compiled by the Legislative Reference Service of the Library of Congress.

Let me say that Memorial Day appears to be an exception to the rule. In other words, a 3-day Memorial Day weekend appears to be more fatal to the person who travels by automobile than the 1-day midweek Memorial Day.

However, with regard to all other holidays for which statistics are available—including the Fourth of July, Christmas, and New Year's—the average accident rate per day is far greater on the single midweek holiday than when the holiday is part of a 3-day weekend.

The Secretary of Commerce prepared a report in 1959—which was filed in the 86th Congress, first session, as House document 93—that embodied the automobile accident statistics relating to 1-day midweek holidays as well as 3-day weekend holidays.

The conclusion from these statistics is inescapable and unequivocal—1-day midweek holidays were the most potent producers of accidents, with an average danger rating of 1.83, as compared with 1.18 for 3-day holiday weekends.

Now take for instance the statistics upon which the gentleman from North Carolina relies in his attempt to establish that 3-day weekend holidays are more dangerous for those who travel by automobile. Let us look for instance at

the deaths that occurred in 1956 on the Fourth of July—a single midweek holiday—210. In the same year, 580 deaths occurred on the 3-day Memorial Day weekend. By dividing 580 by three, we find that the average per day on the 3-day weekend was 193 as compared to 210 during the midweek Fourth of July holiday. In other words, there were approximately 10 percent fewer deaths on 1 day of the 3-day weekend holiday than on the single midweek holiday.

Again, take the situation relating to the year 1957. Memorial Day—a single-day holiday—produced 145 deaths. The Fourth of July was a 4-day weekend holiday that year, and by dividing the total of 535 deaths by four, we find the single day fatalities were 133 as compared with 145 on the midweek holiday, a drop of almost 10 percent.

I would like to touch on one other aspect of this bill at this time; namely, the need for Federal legislation with regard to Monday holidays. While it is true that this legislation affects only Federal employees and the District of Columbia, it is true also that the Federal pattern tends to influence State legislatures in their designation of legal holidays.

The State of Massachusetts already has enacted a Monday holiday bill which designates three Monday holidays: George Washington's Birthday, the third Monday of February; Memorial Day, the last Monday in May; and Patriots' Day, the third Monday in April.

I am informed that a Monday holiday bill has already passed the New York House of Representatives and is being held in abeyance pending action on the bill now before this Committee. And a number of other States have Monday holiday bills pending, the outcome of which will be governed in part, at least, by the direction that the Congress provides in the pending measure.

Certainly, we have a responsibility to designate those national public holidays that will affect Federal employees and which will apply in the District of Columbia. It follows that this will be a pattern for the entire Nation.

In order that State legislatures may have time to act, the effective date of the bill is postponed until January 1, 1971. All of the State legislatures will have met by that time, to consider what, if anything, they may choose to do with regard to designation or redesignation of their own State legal holidays.

In addition, schools, business and labor organizations, clubs, calendar manufacturers, and others, will be granted ample time by postponing the effective date of this bill to accommodate the new Monday holiday observances.

The record shows conclusively that this is popular legislation—popular with the great cross-section of the American people; popular with American business; popular with American labor, popular with governmental departments and agencies; and popular, of course, with those who are interested in encouraging the recreational, cultural, and educational benefits that can flow from this useful legislation.

I urge an overwhelming vote in sup-

port of the uniform Monday holiday bill—H.R. 15951.

The CHAIRMAN. The gentleman from Illinois consumed 13 minutes.

The Chairman recognizes the gentleman from Colorado [Mr. ROGERS].

Mr. ROGERS of Colorado. Mr. Chairman, I yield such time as he may consume to the gentleman from New Jersey [Mr. RODINO].

Mr. RODINO. Mr. Chairman, the legislation now before the House represents the culmination of yeoman efforts by our committees and by many groups of citizens, directed toward introducing reforms into our Federal holiday calendar.

H.R. 15951 would reschedule 3 of our existing Federal holidays—Washington's Birthday, Memorial Day, and Veterans Day—to certain designated Mondays. In addition, the second Monday in October would be officially set aside as a national holiday in honor of Christopher Columbus.

The only legal impact of a given date being designated as a public holiday by the Congress is that such a date becomes a nonwork day—but without loss of pay—for the overwhelming majority of Federal employees and employees of the government of the District of Columbia. However, virtually all the States and possessions have included the existing eight legal public holidays on their own holiday calendars, and on the dates specified by the Congress. Additionally, some 64 official holidays were observed in 1967 by one or more of the several States and U.S. possessions. Of this number, one date stands out prominently in that it is observed by a far greater number of States than any of the other, primarily locally oriented, holidays. That date is October 12, Columbus Day. Thirty-four States and Puerto Rico thus pay tribute to the Grand Admiral of the Oceans. Two other States have set the day aside as a memorial day, and in all of the remainder, Columbus' achievements are heralded in suitable public celebrations and ceremonies.

The following list shows the State laws relating to celebrations of Columbus Day:

Alabama: *Code of Alabama*, title 39, § 184. Legal holiday. Is called Columbus and Fraternal Day.

Alaska: No provisions found.

Arizona: *Arizona Revised Statutes Ann.* Title I § 301. Legal holiday.

Arkansas: *Arkansas Statutes*, Title 69 § 101. Is not a legal holiday but is to be commemorated by an appropriate proclamation by the Governor as a so called "Memorial Day".

California: *West's Annotated California Codes. Government Code* § 6700. State holiday. Known first as Discovery Day then changed to Columbus Day.

Colorado: *Colorado Revised Statutes*, Title 67-1-2. Legal holiday.

Connecticut: *General Statutes of Connecticut* § 8880. Legal holiday.

Delaware: *Delaware Code Ann.*, Title I § 601. Legal holiday.

Florida: *Florida Statutes Ann.* § 683.01. Legal holiday. Known as Columbus Day and Farmers' Day.

Georgia: *Georgia Code Ann.* Title 14 § 1808. Legal holiday.

Hawaii: No provisions found.

Idaho: *Idaho Code*, Title 78 § 108. Columbus Day was a legal holiday until repealed in 1945.

Illinois: *Illinois Revised Statutes*, Chap. 98 § 18. Legal holiday.

Indiana: *Burns' Indiana Statutes* § 19-1916b. Legal holiday. Commonly known as Discovery Day.

Iowa: *Iowa Code Annotated*, § 31.6. The Governor is authorized and requested to issue an annual proclamation urging appropriate commemoration.

Kansas: *Revised Statutes* § 35-105. Public holiday.

Kentucky: *Kentucky Revised Statutes* § 2.100. Legal holiday.

Louisiana: *Louisiana Revised Statutes* § 1.55. Legal holiday.

Maine: *Revised Statutes*, Chap. 41 § 154. School holiday—upon a vote of school officials.

Maryland: *Annotated Code of Maryland* Art. 13 § 9. Legal holiday.

Massachusetts: *Annotated Laws of Massachusetts*, Ch. 4 § 7. Legal holiday.

Michigan: *Statutes Annotated* § 18.891. Public holiday.

Minnesota: *Statutes Annotated* § 645.44. Legal holiday.

Mississippi: No provisions found.

Missouri: *Vernon's Ann. Mo. Statutes* § 10.020. Public holiday.

Montana: *Revised Code of Montana* § 19-107. Legal holiday.

Nebraska: *Revised Statutes* § 62-301. Legal holiday.

Nevada: *Compiled Laws* § 8412. Nonjudicial day.

New Hampshire: *Revised Laws*, Chap. 367 § 2. Legal holiday.

New Jersey: *Statutes Annotated*, Title 36 § 1-1. Legal holiday.

New Mexico: *New Mexico Statutes*, Title 56 § 1-3. Legal holiday.

New York: *McKinney's Consolidated Law, General Con.* § 24. Legal holiday.

North Carolina: No provisions found.

North Dakota: *Revised Code* § 1-0301. Legal holiday. Called Discovery Day.

Ohio: *Pages Revised Code* § 1303.45. Legal holiday, known as Columbus Discovery Day.

Oklahoma: *Oklahoma Statutes*, Title 25 § 82.2. Additional annual holiday. Optional transaction of business.

Oregon: *Compiled Law Annotated* § 65-101. Legal holiday.

Pennsylvania: *Purdon's Statutes Annotated*, Title 44, § 11. Legal holiday.

Puerto Rico: *Session Laws*, 1913. Ex. Jt. Res. 31. Legal holiday.

Rhode Island: *General Laws* § 25-1-1. Legal holiday.

South Carolina: No provisions found.

South Dakota: No provisions found.

Tennessee: *Code Annotated* § 55-203. Duty of Governor to proclaim Columbus Day.

Texas: *Vernon's Statutes Annotated* § 4591. Legal holiday.

Utah: *Code Annotated* § 63-13-2. Legal holiday.

Vermont: *Vermont Statutes* § 19. Legal holiday.

Virginia: *Code of Virginia* § 2-19. Legal holiday.

Washington: *Revised Code*, Chap. 116. Legal holiday.

West Virginia: *West Virginia Code*, § 24. Legal holiday.

Wisconsin: *Wisconsin Statutes* §§ 256.17, 40.75. Legal holiday.

Wyoming: *Compiled Statutes* § 49-105. Public Holiday.

Mr. Chairman, I am convinced that the Federal Government should follow the lead of the great majority of the States and of our sister republics in Latin America. The accomplishments of Columbus truly merit a "day" in his honor.

I envision Columbus Day as a multi-purpose national holiday. In honoring the Grand Admiral of the Oceans who braved the mysteries of the uncharted

Atlantic to open the New World to civilization and settlement, we will simultaneously be paying equal tribute to all who came from abroad to build a strong, vital and thriving America.

George Washington is deservedly called the Father of Our Country, and we commemorate his memory by a special day. In what President Kennedy most appropriately termed "a nation of immigrants," should not the "Father of Immigration" receive equal tribute from all Americans? The distinguished historian and biographer, Samuel Eliot Morison, in his book "Admiral of the Ocean Sea," says "the whole history of the Americas stems from the four voyages of Columbus." Let us remember that the second and later voyages of Columbus represented the first real efforts at colonization of the New World. And let us also remember that Columbus, an Italian, made his initial discovery in a Spanish fleet with a largely Portuguese crew.

Columbus Day, then, should be the occasion for Americans of all origins to reaffirm their faith in the future and declare their willingness to face with confidence the imponderables of unknown tomorrows.

Mr. McCLODY. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. HUTCHINSON].

Mr. HUTCHINSON. Mr. Chairman, I thank the gentleman from Illinois for yielding me a few minutes, because I am opposed to this legislation and I know he is very keenly in favor of it. I appreciate his cooperation in letting me present some views of mine.

Mr. Chairman, in this time of turmoil and social revolution when every standard of the past is being challenged it was to be expected, I suppose, that this challenge should reach even our holidays.

The promoters of this bill are usually found on the side of preserving our American heritage and I am dismayed to see them in this instance swept up in the turbulence of the time and determined to wrench our settled holidays from their historic moorings.

WASHINGTON'S BIRTHDAY

They would even deny to the Father of Our Country his rightful birthday. Henceforth, if this bill becomes law, Washington's Birthday will be the third Monday in February. Never again would it be observed on February 22. The third Monday in February will always fall between the 15th and the 21st. The committee in its report excuses this by asserting some conjecture about the exact date of Washington's birth. There has never been any legitimate conjecture about it. The day George Washington was born in Westmoreland County, Va., the calendar on the wall read Friday, February 11. But that was the old Julian Calendar. And when, 20 years later, the government of George the 3d adopted the corrected Gregorian Calendar throughout his realm, February 11 became February 22, and George Washington observed February 22 as his birthday from his 21st year and thereafter. Had England corrected its calendar when the Roman Catholic world corrected theirs, the calendar on the wall the day

Washington was born would have read, February 22, 1732. There has never been any conjecture about it.

If, as the committee report states, the French commander of forces in America during the Revolution ordered the troops under his command to observe February 12 as Washington's Birthday one year, that mistake of the Comte de Rochambeau can hardly be taken as creditable evidence of the date of Washington's birth.

A holiday to be observed on the third Monday in February to be called Washington's Birthday will not only be unfortunate in that it will never fall on his birthday; it will also happen that in those years when the third Monday is the 15th it will fall only 3 days after another holiday observed in many of our States—Lincoln's Birthday, on February 12. In the familiar cycle of the calendar where the same date falls on the same day of the week first in 6 years, then in 5, then in 6, then in 11, then in 6, and so on, this holiday inaccurately called Washington's Birthday will fall only 3 days after Lincoln's Birthday in that rotation.

In those years and in a State like Michigan where Lincoln's Birthday on February 12 is also a holiday, I suppose we will have a 4-day holiday starting on Friday the 12th and running through the following Monday the 15th. This development will probably be favored by those who support this legislation but in Northern States like Michigan February is quite inhospitable weatherwise. And a 4-day holiday in mid-February is hardly conducive to travel or for families widely separated to get together. As a result while both Washington's Birthday and Lincoln's Birthday are holidays in my State, they are largely bank holidays and I can already hear in my mind's ear the public complaint which will be heard in those years when all of the banks close on Thursday afternoon not to open until Tuesday morning.

MEMORIAL DAY

There are three summer holidays generally observed throughout the United States today—Memorial Day, Independence Day, and Labor Day. Labor Day always falls on Monday. This bill will put Memorial Day on Monday in each year. The promoters of the legislation wanted to change the Fourth of July too, but fell short of their goal. Quite likely, once this bill becomes law, the push will be on to make Independence Day and Thanksgiving Day, Monday holidays as well.

For an even hundreds years May 30 has been observed as Memorial Day or Decoration Day. In 1868, just a century ago, Gen. John A. Logan, then Commander in Chief of the Grand Army of the Republic, designated Saturday, May 30, as the day when the thousands of Civil War veterans who then comprised the GAR should strew with flowers or otherwise decorate the graves of their departed comrades, and that day, May 30, has been observed for 100 years as a day of mourning for our soldier-dead. It has been so recognized in most of our States, in my own State of Michigan since 1875. On that day, ceremonies are held in cemeteries in nearly every com-

munity. They are usually under the sponsorship of veterans organizations and the flag of our country flies at half staff until noon as a sign of mourning.

The proponents of this bill would tear this holiday from its historic moorings and set it adrift as it floats between the 25th and the 31st of May. During the last hundred years there has always been precisely 5 weeks between the day we observe in mourning our loss on the field of battle and the day we celebrate our country's success in battle—our national independence. This legislation will destroy the historic time relationship between these two holidays.

VETERANS DAY

When Congress chose a national holiday to honor the Nation's living veterans it set aside for the purpose the World War I Armistice Day. The cease order effected at the 11th hour of the 11th day of the 11th month in 1918 is peculiarly meaningful to the veterans of World War I, and the congressional selection of that day was a tribute to them. Now comes this bill to thoughtlessly cast them aside. It will abolish the World War I Armistice Veterans Day as a holiday and instead will create a holiday on the fourth Monday in October, moving between October 22 and 28 called Veterans Day without any historical significance whatever. They would even change the month.

I think that it is significant that we are asked to abolish the November Veterans Day exactly 50 years after the event it memorializes—the end of fighting in World War I. I say it is significant because it appears to me these changes in our holidays are really a rejection of our historic past, so the timing is significant. May 30 as Veterans Memorial Day is being destroyed on the centenary of its founding and November 11 as a living Veterans Day is being destroyed exactly 50 years after the first Armistice Day—still within the lifetime of some who went through it. While those who promote this change in holidays will deny any such purpose, the destruction of Armistice Day during the year of its half century observance is at least an unfortunate coincidence.

COLUMBUS DAY

I think it is generally known in the House that this bill would not have survived the Judiciary Committee had it not been for a coalition of Columbus Day and Monday holiday advocates. So we are to have another day in October when all Government offices including the Post Office will be closed. It will be called Columbus Day.

I do not know what schoolchildren are taught these days about dates in history, but I can well predict that the new generation may be under the impression that George Washington was born on the third Monday in February and Columbus discovered America on the third Monday in October. As a matter of fact October 12, 1492, fell on the Lord's Day, Sunday, and it was considered a propitious omen to Columbus.

Like February 22 and November 11, Columbus Day is largely a bank holiday. A few years ago the Michigan Legislature

designated the Saturday nearest October 12 as a holiday. The banks in my part of Michigan are still apologizing to the people that they must be closed for business on that day. They even advertise that they would like to stay open but the State law requires them to close. When, assuming the State adheres to the provisions of this bill, the banks will have to be closed on the second and fourth Mondays in October, think what public outcry may arise over that.

If Congress is determined to create holidays tied to a day of the week rather than an historic event, we ought not to do it under the pretext that we can change a great man's birthday or the date of a great event in history.

We now have 3-day holidays more than half the time. In a span of 28 years our present holidays fall on Friday, Saturday, Sunday or Monday in 16 of those years. At no time does more than 3 years elapse between a weekend observance of the same holiday. Out of the 12 years in the cycle when the holiday falls on either Tuesday, Wednesday, or Thursday, there are two spans of 3 years and three spans of 2 years between weekend observances. I insert a table showing the days of the week on which Memorial Day, May 30, and Independence Day, July 4, will fall during the 28-year cycle beginning in 1968:

1968	Thursday
1969	Friday
1970	Saturday
1971	Sunday
1972	Tuesday
1973	Wednesday
1974	Thursday
1975	Friday
1976	Sunday
1977	Monday
1978	Tuesday
1979	Wednesday
1980	Friday
1981	Saturday
1982	Sunday
1983	Monday
1984	Wednesday
1985	Thursday
1986	Friday
1987	Saturday
1988	Monday
1989	Tuesday
1990	Wednesday
1991	Thursday
1992	Saturday
1993	Sunday
1994	Monday
1995	Tuesday

Mr. ROGERS of Colorado. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from New York [Mr. ROONEY].

Mr. ROONEY of New York. Mr. Chairman, I am going to vote for this bill.

Mr. Chairman, I have long sought legislative action which would make Columbus Day a legal public holiday and I am pleased that the House this evening is taking the first step to bring this about. This proposal to give honor on a national basis to the intrepid Italian, Christopher Columbus, is completely justified as a reminder of the debt we owe this great navigator. In honoring the memory of Columbus, we make of his virtues a noble inspiration to our youth.

On Wednesday morning, August 12, 1964, I had the privilege of appearing before the Senate Subcommittee on Fed-

eral Charter for Holidays and Celebrations of the Senate Committee on the Judiciary on pending legislation making Columbus Day, October 12, a national holiday. When I testified before the Senate subcommittee I was the sole Member of the House present. The following is the statement I submitted that morning:

Mr. ROONEY of New York. Mr. Chairman, members of this distinguished committee of the Senate, I am pleased to have this opportunity to submit for your consideration my views relative to the importance of making Columbus Day October 12 a national holiday.

The proposal to give honor on a national basis to the intrepid Italian, Christopher Columbus, who was the first from across the sea to set foot on the shores of this continent is completely justified as a reminder of the debt we owe this great navigator. As Americans, we cannot recall the historic voyages of Columbus without also recalling the deeds of scores of other great explorers and early pioneers and the debt we owe each of them.

We are reminded of great heroes who came here before our nation came into being—the men of many nationalities who braved the wilderness in their explorations. When we think of Columbus we think of Vespucci, of Raleigh and Drake, of de Gama and Cortez, of Champlain and Frontenac, of Hudson and de Soto, of Magellan and scores of others. We think, too, of the veritable parade of heroes from other lands who march across the pages of our history—Lafayette and Steuben, L'Enfant and Shurz, Pulaski, Fermi, Sikorsky, Einstein and the hundreds of other great people to whom this country owes so much.

Although Christopher Columbus did not find it possible to remain on these shores in the true sense of a migrant, even in spite of three bold visits, he is responsible for initiating the steady flow of migrants from Europe. His charting the seaway to America permitted and stimulated the wave of explorers of many nationalities, English, French, Portuguese, Dutch, Spanish, and Italian. On the heels of the explorers came the settlers. With the arrival of these colonists the pattern for American citizenship was established—a nation of many nationalities, of many traits, and of many beliefs—yet a people dedicated to the principle of one nation, independent, indivisible, with liberty and justice for all.

Among these settlers—the farmers, the merchants, the printers, the preachers, the bankers, the fishermen, and the craftsmen of all kinds came the men who became in America's hour of need the great soldiers and the great statesmen who fought for her independence and planned for her survival as a nation.

The debt we owe these outstanding men of history, and the saga of their deeds should be kept constantly before us and preserved for posterity.

I suggest, Mr. Chairman, that without in any way minimizing the honor which we seek to do to the memory of Columbus and without in any way depreciating the honor we pay him as an Italian, but because of him and because he was Italian we consider Columbus Day as national Immigrant Day.

What greater honor could we pay to the discoverer of our Country than to pause each October 12 as we commemorate his birth date and think, too, of our other forebearers for whom he opened the door of America.

Columbus Day has long been proclaimed a holiday in some states and in many localities. I believe the time has come when all Americans in every state and in every locality—Americans of all faiths and descendants of all nationalities should observe Columbus Day as a national holiday to be observed with fitting ceremonies.

Americans—native born and adopted—all

have reason to be reminded of the historic deeds and actions of our immigrant forefathers. All of us need to be reminded of Christopher Columbus' bravery, his tenacity and his courage of convictions which established him as an example for all the multitude of not only his fellow countrymen but the men and women of other nations who would follow him to these shores.

We speak reverently of George Washington as the "Father of our Country." We may speak equally as reverently of Christopher Columbus as the "Father of our Continent."

It is my hope, Mr. Chairman, that your committee will adopt my suggestion and that favorable action will be taken by the Congress to enact the necessary legislation to give all Americans an official national holiday to commemorate the birth date and pay homage to Christopher Columbus and to honor the succession of great foreign born heroes who because of his explorations and discoveries could add their noble deeds to his.

On August 15, 1964, the Senate passed that legislation designating Columbus Day, October 12, as a legal holiday but the House failed to take action and the bill died in that 88th Congress.

Last October in testimony before a subcommittee of the House Committee on the Judiciary, I stated that I believed that it was only a question of time until we in the Congress heeded the voice of the people and gave this day its due recognition. I hope that before another October 12 rolls around the Members of Congress will have seen fit to perfect legislation which will make Columbus Day a legal holiday.

Mr. Chairman, we could go on and on delivering words of praise for Christopher Columbus and words of justification for making Columbus Day a legal holiday. However, I think that I would have trouble in doing it as eloquently as Harry H. Schlacht did on October 12, 1949, in an article entitled "Honor to Columbus, Discoverer of America" published in the New York Journal American. Under leave to extend my remarks I include that article at this point in the RECORD.

HONOR TO COLUMBUS, DISCOVERER OF AMERICA (By Harry H. Schlacht)

"O glorious city of Genoa!
Lost in the midst of the ages
Is the record of your birth.
But you gave to fame immortal
One whose praises now fill the earth."

Today we honor Christopher Columbus on the four hundred and fifty-seventh anniversary of the discovery of America.

Today we honor one of the greatest souls that ever wore the clay of earth about him.

Today we honor ourselves by remembering to honor him.

The great souls of history who have conquered in the face of adversity, who have hitched their chariot to the star of hope, achieved victory and snatched immortality from the ruins.

Thus did Columbus.

We can see backward across the centuries of the past a few sunken mountain peaks jut out of oblivion's sea.

We can see through the telescope of time the historical horizons.

We can see great stars whose magnitude is unabating through the ages.

Among them is Columbus.

His supreme confidence, his heroic endurance, and his unfailing faith in providence combated the superstitions of his day and made him the benefactor of the ages.

Columbus was a man of faith.

He acted by faith.

He achieved by faith.

He lived by faith.

He became by faith in Providence the divine instrument to blaze the pathway that marks the destinies of the centuries.

We know that the silent stars must have looked down with wonder upon the strange sight of three crude ships struggling with death on the briny deep of an angry unplowed sea.

We know that the God who rules over the winds and waves looked down upon him with his approving smile.

A great miracle occurred upon the earth.

A new continent was discovered.

A new civilization was born.

A new race was to rise.

This land was called America.

It was named after an Italian—Americus Vesputius.

It was to become the birthplace of democracy.

It was God's country.

Columbus brought to humanity a treasure trove of God-given gifts, surpassed only by the blessings flowing from the miracle of Bethlehem.

Here was a world with endless plains richer than the Nile.

Here was a world with cascades that sparkled in the sunlight.

Here was a world with majestic mountains that rose in towering grandeur to the very feet of the Creator.

Here came the blended blood of the best people of every land.

Here came the pillars of all races and of every creed.

Here they brought the finest fruits of their nations.

Here they have become the defenders of American civilization.

Let us today tender our loving tribute to Columbus and his people.

The Italian people have contributed to the greatness of our country.

The Italian people have fought with heart, head and hand for the country they love—for the institutions they cherish, and for the principles that gave it birth.

Italy has given us her theme of freedom.

She has given to exploration, a Columbus.

She has given to sculpture, a Michelangelo.

She has given to painting, a Titian.

She has given to science, a Marconi.

She has given to military art, a Garibaldi.

She has given to theology, a St. Thomas

Aquinas.

She has given to music, a Toscanini.

She has given to the world a code of laws that will stand as a sheet anchor for all mankind.

Let us thank God that Italy has been liberated from her oppressors.

Let us pray that the golden morning of peace and freedom will shine forever o'er the world.

We send our greetings across the sea.

We shout, "Long live liberty-loving Italy."

Viva Italia Libera.

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. DANIELS] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. DANIELS. Mr. Chairman, I rise in support of H.R. 15951, a bill to provide for uniform annual observances of certain legal holidays.

I think all Members ought to support this bill because it is clear that the people of America are solidly behind the concept of the 3-day weekend. I know

that the people of the 14th District of New Jersey support this measure. While the overwhelming majority of my constituents are working men and women, the business and professional classes are also supporters of the concept of the 3-day weekend.

Mr. Chairman, this seems to be one of those happy pieces of legislation which has the support of both organized labor and organized business.

Mr. Chairman, there is one provision in this bill which is dear to my heart and to millions of other Americans of Italian extraction. I am happy that the Judiciary Committee followed the lead of the beloved dean of the New Jersey delegation in the House, Congressman PETER W. RODINO of the 10th District, by including Columbus Day as a national holiday, to be observed on the second Monday in October. I commend my good friend from New Jersey who is truly the people's Representative.

Mr. Chairman, Columbus has special meaning to Italian-descended Americans because he symbolizes the deep ties which exist between those of us whose ancestors came from Italy and the United States. To every Italian-descended person this day underscores not our Italianness but rather our love of this country and its traditions. The contribution of Columbus gives every Italian-descended person a sense that we too have done our share toward the greatness of this Nation.

Mr. Chairman, I do not want to give you and other Members of this House the idea that this bill is only worth supporting because it declares Columbus Day a national holiday. While this is a goal which I have supported in the House since first taking the oath of office 9 years ago, there are other reasons why I support H.R. 15951.

Mr. Chairman, this bill also moves to Monday the observance of Washington's Birthday. This holiday will be observed annually on the third Monday in February. Memorial Day will be observed on the last Monday in May and Veterans Day will be observed on the fourth Monday in October.

Mr. Chairman, I have heard the arguments against this bill and I am not impressed with the notion that 3-day holidays will result in national bacchanals. I think there is nothing in this bill which precludes the spiritual nature of these holidays. I deeply reject the notion that our God is a God of gloom.

Somehow, I do not think the Sabbath of the New England Puritans of the 17th century is part of the divine plan.

Because I represent a district where a great many of the residents are of modest means, I know what 3-day holidays mean. I know of hundreds of families in the 14th District who use these long weekends to take short trips to the mountains or the Jersey Shore. I also know that the churches along the Jersey Shore are packed when vacationers are in town. I think Almighty God has no objection to a workingman and his family enjoying a brief respite from the workaday world. I am sure that the God whom I worship does not look down with displeasure upon such scenes.

Mr. Chairman, this is a good bill, and it deserves the support of every Member of this House.

Mr. ROGERS of Colorado. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from New York [Mr. STRATTON] who has worked so hard and long and who has labored for so many hours in bringing forth his thoughts in support of this legislation.

Mr. STRATTON. Mr. Chairman, I want to thank the distinguished chairman of the subcommittee, the gentleman from Colorado [Mr. ROGERS], my good friend, for yielding this time to me.

Mr. Chairman, I appreciate and understand the temper of the House tonight. I hope it means a favorable response to the effect that this legislation that is now pending before us will be passed.

I sympathize with my friend, the distinguished minority whip, although I too had nothing to do with the scheduling of the consideration of this bill.

Mr. Chairman, I rise for just a moment or two for one reason, and one reason only, and that is because I suppose I might be regarded as the father of Monday-holiday legislation.

I have introduced this bill ever since I came to this Congress 10 years ago. Last year we suddenly began to get some attention to the subject, both in this House and over in the other body, and the gentleman from Illinois [Mr. McCORMY] is to be congratulated for his action within the House Judiciary Committee.

Even though the hour that we are finally beginning to act on this bill is a late one, and this makes it difficult, I just want to express my support for this legislation.

Mr. Chairman, I said that I was the father of this legislation. Perhaps this is being a little bit immodest because actually I found in an issue of the Reader's Digest of May 1937—31 years ago—an article by Henry Morton Robinson proposing exactly the same thing. And in the beginning of his article is a complete endorsement of the idea signed by James Truslow Adams, Margaret Culkin Banning, Bruce Barton, Walter Damrosch, Lloyd C. Douglas, Dorothy Canfield Fisher, Harry Emerson Fosdick, Mrs. Ogden Reid, Booth Tarkington, Deems Taylor, Lowell Thomas, Dorothy Thompson, William Allen White.

Let me just make one further point, Mr. Chairman. This is probably not the most popular session of Congress that any of us will have had the pleasure to serve in. We are being asked to vote this year on a number of difficult and unpopular pieces of legislation, not the least of which will be the conference report which the gentleman from Arkansas [Mr. MILLS] will be bringing before us in the next few days. But here in this bill we have something that I believe we all desperately need in this Congress, a bill that is overwhelmingly supported by the majority of the American people, broadly supported by labor, broadly supported by business. And the gentleman from Texas, my good friend, the chairman of the Committee on Appropriations [Mr. MAHON], will be happy to know that it

is not going to cost the taxpayers a single cent. This is the kind of rare legislation we need in the 90th Congress, and we ought to get it enacted.

Mr. MAHON. Mr. Chairman, will the gentleman who has made reference to me yield?

Mr. STRATTON. I will be happy to yield to the gentleman from Texas.

Mr. MAHON. I have been disturbed because I have heard it reported that this bill, because it establishes Columbus Day as a national holiday, will cost us an annual sum of \$90 million additionally.

I understand there is some explanation of that, but I do not know how valid the explanation is, and I would like to understand that.

Mr. STRATTON. Strictly speaking, the Monday holiday proposal itself, which seems to be the one to which the bulk of the opposition is being addressed, is not going to cost anything.

Now, I am personally very happy that the recommendation of the gentleman from New Jersey [Mr. RODINO] has been included, because, like many other Members of this body, I too have been pushing for Columbus Day to be added to our holiday roster. It is true that this action may cost something, but I would like to point out to the gentleman from Texas that whatever it is—and I do not know exactly what it will cost—the fact of the matter is, as the gentleman from New Jersey has already pointed out, that 34 of our 50 States already celebrate this holiday, so it is not going to cost anything there.

But let me also point out to my friend from Texas that whatever the cost may be, and I believe it will be very small, it will be more than made up by the loss of absenteeism and the added costs that are required when a business starts up its plant on a Monday, and then has to shut it down on Tuesday when that is a holiday and then start it up again on the following Wednesday. So we are going to be saving money, with holidays established on a Monday. And I believe it will more than make up for any cost incurred by our opportunity to celebrate the birthday of the great discoverer, that great Italo-American, Christopher Columbus.

Mr. MAHON. If the gentleman will yield further, my main problem is that there are many of us who do not like to vote for a bill that probably would cost an additional \$90 million because of the Columbus Day holiday aspect.

I believe we are entitled to a very clear, convincing and well-documented explanation of this problem.

Mr. STRATTON. Let me yield to my good friend from New Jersey [Mr. RODINO], who is an expert on that aspect of the legislation.

Mr. RODINO. Mr. Chairman, I am not an expert, but I understand my proposal.

John W. Macy, Jr., Chairman of the U.S. Civil Service Commission, testified on this bill, to whom this \$90 million figure was attributed.

He states further:

Later, in a letter of September 25, 1967, to Honorable Emanuel Celler, Chairman of the House Judiciary Committee, in response to a request by a staff member of the Committee, I estimated that the additional cost

of making Columbus Day a national holiday would be around \$90-million a year for the Federal civilian work force.

Granted that a new holiday for the Federal work force would cost about \$90-million a year, I believe that the proposal for uniform observances of three or four holidays on Mondays, by avoiding disruption of normal business operations, would clearly offset the added cost of the extra holiday.

Mr. MAHON. Then it would cost \$90 million, but more efficiency would be promoted by the uniformity which would tend to offset it; is that the idea?

Mr. RODINO. That is correct.

Mr. STRATTON. That is why the chamber of commerce is overwhelmingly for the legislation.

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

Mr. STRATTON. I yield to the gentleman.

Mr. McCLODY. In further explanation, I would like to point out that most of the civil service employees are paid on an annual basis and the \$90 million estimated comes from computing what 1 day of that total annual payroll would cost.

As I mentioned in my statement, when you are in a State where you celebrate Columbus Day—and there are 34 States that have a Columbus Day—there is apt to be lost time anyway.

This further statement which has been presented by the Chairman of the U.S. Civil Service Commission today demonstrates that the cost would be more than offset by a uniform Monday holiday bill in the Federal service. This, it seems to me, completely negates any loss that the Federal Government might incur.

Mr. STRATTON. In other words, as has already been brought out, this cost will actually be a bookkeeping cost.

As Mr. Henry Morton Robinson said back in 1937 in his article in the Reader's Digest of that date, the Monday holiday legislation would do so much to re-create and refresh and restore the spirits and the energies of the Federal and private employees involved that their production when they go back to work again would be so much greater it would more than make up for any bookkeeping losses.

Mr. Chairman, I urge the adoption of the bill.

Mr. McCLODY. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. FINO].

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

Mr. FINO. I yield to the gentleman.

Mr. McCLODY. I want to point out that Monday holidays are observed in other countries such as Canada, New Zealand, and Australia.

In those countries they have designated as one uniform Monday holiday the Queen's birthday which is celebrated on the Monday nearest to May 24.

I am sure that there is no irreverence intended toward the Queen of England when they celebrate the Queen's birthday in that way. As a matter of fact, it is a day of great respect. The 3-day week provides the opportunity for a great celebration with appropriate observances because they have 2 days preceding the day of observance in which to prepare for the celebration of the birthday.

Mr. FINO. Mr. Chairman, I rise in full

support of this bill which calls for the observance of three of our national holidays on Mondays and the addition of Columbus Day as a new national holiday to be observed on the second Monday in October.

I am very happy to say that proper recognition of Columbus Day as a national holiday is a longtime objective of mine, and during my 16 years in Congress I have introduced many bills in this respect. I am delighted, finally, to see this measure before us today.

I might add at this point, in answer to the gentleman from Michigan, who is complaining about celebrating Washington's birthday on a Monday, I think someone mentioned sometime ago that Washington was born on a Monday so we are doing proper justice to his birthday by celebrating it on a Monday.

My own State of New York, Mr. Chairman, first made Columbus Day a State holiday in 1908. Many other States have done likewise.

I believe, however, that Columbus Day should not just be a State holiday; it should be a national holiday.

Consider our other national holidays. Veterans' Day is important to us because it commemorates the veterans of all of the Nation's wars.

Memorial Day commemorates the sacrifice of those of our soldiers who have died to keep America strong and free.

February 22, of course, is the birthday of America's first President and Founding Father, George Washington.

I further believe that Columbus Day is equally important because it marks the discovery of a new world—the American continent.

Now there will be those who dispute Columbus' claim to discovery. And I suppose if we were really precise, we would have to admit that the Indians were first. What I am talking about, however, is the discovery and exploration by which the New World became open to the European settlement which ultimately built the present-day United States. This, beyond doubt, was Columbus' discovery. His efforts and no others resulted in permanent European settlement of the New World. It is all very well and good to talk about the Vikings, but if Columbus had not made his 1492 voyage, nobody would even know about the Vikings. When Columbus arrived in the Western Hemisphere, there was nothing left of Viking efforts save a few dubious rocks and relics. To use contemporary language, Columbus was the man who got the job done, and I think that the opening of the New World to European settlement is as much of a milestone in our history as the events celebrated by our other holidays. Today there is little doubt that Columbus Day should accordingly be made a national holiday.

Mr. Chairman, I would like to read a telegram that I have received from Gov. Nelson Rockefeller concerning Columbus Day:

New York State has long appreciated the tremendous inspiration, deeds and daring of Christopher Columbus. We in the Empire State are especially thankful for the countless contributions this dauntless explorer's fellow countrymen have made and continue to make to the development of our culture.

Their love of liberty means much to the steady growth of our state and nation. In recognition of the contribution of Christopher Columbus, Columbus Day is a legal holiday in New York State.

I would hope that the federal government would accord similar appropriate national recognition to Columbus Day.

NELSON ROCKEFELLER.

Of course, the Columbus Day holiday is just one aspect of the bill before us today, but I feel that it is the most important. I urge the Members of this House to support H.R. 15951 not only as a way of beneficially rearranging the schedule of national holidays, but as a means of finally giving national recognition to the great achievements of Christopher Columbus.

The legislative action this House takes today will not only be popular with a majority of our people but a very significant one.

In closing, I might mention that in the State of New York we are concerned about industry and what effect it might have on industry and labor. The New York State Council of Retail Merchants, Inc., in a letter to the Members of Congress, said:

On behalf of the members of the New York State Council of Retail Merchants, Inc. and on behalf of their employees, we urge that you vote in favor of this measure in order that industry may function more efficiently and that the tremendous numbers of employed workers in New York State may have the privilege of enjoying a number of long weekends.

Mr. ANNUNZIO. Mr. Chairman, after many years of effort, we have at last an opportunity to give our affirmative votes to a measure which will bring some commonsense and uniformity to our observance of national holidays.

The measure before us today, H.R. 15951, establishes that certain nonreligious legal holidays—Washington's Birthday, Memorial Day, Labor Day, and Veterans Day—shall all fall on specified Mondays. Certain other traditional holidays—New Year's Day, Independence Day, Thanksgiving Day, and Christmas—remain to be celebrated on their customary dates. The result is, of course, the creation of four new official 3-day weekends, like our present weekend observance of Labor Day.

I am delighted to have had a part in the sponsorship of this measure, and I also heartily commend my distinguished colleague from Illinois, Congressman ROBERT MCCLORY, for his tireless and effective work in obtaining prompt Committee approval of it. I want to congratulate Chairman EMANUEL Celler of the House Judiciary Committee and his committee members for their expeditious and favorable consideration of H.R. 15951. The committee, by its action, has demonstrated its wisdom and foresight in bringing about some uniformity to our observance of national holidays.

In asking for the support of the House Members for our bill, I put the question—What could be more reasonable and logical? Opponents have argued that we would somehow be tampering with history to alter the day of celebration of certain holidays. Yet if we look closely at our traditions, we see that many of our holidays are presently celebrated on

dates that were originally fixed arbitrarily.

For example, George Washington was born on February 11. With the introduction of the Gregorian calendar during his lifetime, however, his birthdate became February 22. He himself accepted this change, and celebrated his birthday on February 22. It would hardly dishonor the memory of the Father of Our Country to pay homage to him on a date other than February 22.

Memorial Day was originally fixed in 1868 as a day to honor those who had died in the Civil War. Since there is little or no historical significance to the date, May 30, our deepest respect might as readily be paid, with proper reverence, on another day.

Veterans Day, customarily celebrated on the anniversary of the Armistice of World War I, honors veterans of all wars. Again, would our honors be regarded as insincere if we were to fix a different date?

And finally, the measure before us provides that Columbus Day shall at last be made a legal holiday—elevating to the highest level of respect our observance of Christopher Columbus' discovery of the New World. It is a goal that I have worked many years to attain and I am thoroughly delighted that it may now come to pass.

The proper observance of Columbus' epic voyage and discovery ought to be the right and privilege not only of Italian-Americans, but of all Americans. For, in a very real sense, Columbus and his crew were the first immigrants in what has been called a nation of immigrants. They discovered America which became a haven of hope and peace for generations of downtrodden people from all over the globe. They opened a land where men could live in freedom from oppression—a land which grew and became richer with each new wave of immigration from abroad. And so, it is only right that we should offer our highest tribute to Columbus, the man who started it all.

There are, of course, other compelling reasons for establishing these holidays on Mondays. A 3-day weekend offers the general public wider latitude for planning vacation and recreation activities than do holidays in midweek. Monday holidays will cut down on lost work time and will increase production in goods and services by minimizing the disruption in work schedules caused by a mid-week holiday.

Opponents to H.R. 15951, and to the idea of celebrating certain of our holidays on Mondays, have failed to make this case. In the face of the logic of the favorable arguments, and in the face of overwhelming public opinion in support of this measure, I say we have no alternative but to pass this bill.

Editorials have appeared in the Chicago press, as well as newspapers across the country, endorsing this measure. In addition, it has merited the support of the Chamber of Commerce of the United States, the National Association of Manufacturers, the National Association of Travel Organizations, the National Retail Federation, the American Federation of Government Employees,

the Government Employees Council of the AFL-CIO, the International Amalgamated Transit Union, and the National Association of Letter Carriers, as well as many other business groups and organizations.

In addition, the Department of Labor, the Bureau of the Budget, the Department of Commerce, and the U.S. Civil Service Commission have submitted official views supporting the passage of this legislation.

The House Judiciary Committee, during extensive hearings, also conducted opinion polls on the bill, and found that almost 93 percent of the persons polled supported the concept of Monday holiday legislation, while little more than 7 percent were opposed.

Our national holidays are significant and symbolic events—and our reverence shall not be diminished by celebrating them in a sensible manner. The significant advantages to establishing these four holidays on Monday far outweigh the traditional arguments which have been offered in opposition.

I am pleased to cosponsor this measure, and I ask my colleagues to join me in voting for H.R. 15951.

Mr. MINISH. Mr. Chairman, I rise in support of H.R. 15951, the Monday holiday bill. By the scheduling of Veterans Day, Memorial Day, and Washington's Birthday on Mondays, Americans will gain 3-day periods for recreation, travel, and visits every year, businesses will have an unbroken workweek, and widespread absenteeism will be avoided. At the same time the commemorative purposes of the holidays would be preserved with even more time available for the planning of proper ceremonies and observances.

The bill we are now considering also would designate the second Monday in October, to be known as Columbus Day, as a national holiday. I have sponsored legislation to honor the great explorer and adventurer with a national holiday since I entered the Congress in 1963. In view of my ancestry this is a cause that is close to my heart, but the celebration of the anniversary of Columbus' landing in the New World is by no means of interest only to Americans of Italian descent. All of us owe our civilization and way of life to Christopher Columbus who opened the door to the New World and thus all Americans would wish to pay honor to him. Without Christopher Columbus there might not be a Veterans Day, a Memorial Day, or a Washington's Birthday.

Mr. Chairman, H.R. 15951 calls for the observance of Columbus Day as a day for honoring the United States as a nation of immigrants. By commemorating the voyage of Columbus to the New World we will be paying fitting tribute to the courage and resourcefulness which enabled generation after generation of immigrants from every nation to broaden their horizons in search of new hope and a renewed affirmation of freedom.

A practical aspect of this issue is that it is a convenience for any form of interstate business if the holidays in our country at least approach uniformity of observance. Today almost every State observes Columbus Day in one form or an-

other, ranging from a complete shutdown of commerce to the closing of State agencies or public schools. Since the majority of our States do assign October 12 the status of a legal State holiday, I think it would contribute to the general well-being and convenience if the holiday were made uniform across the entire country. We have an opportunity today to do our part toward that end.

Lastly, I would stress that at no time were Columbus' singular virtues of daring and determination more necessary than today, as we face new worlds of space, new worlds of scientific discovery, new worlds of human relationships. The time is long overdue for us to extend to Columbus the official and permanent recognition he receives in this legislation. I urge passage of the Monday holiday bill with its Columbus Day provision intact.

Mr. HANLEY. Mr. Chairman, on October 4, 1967, I spoke here on the floor of the House in support of H.R. 8443 and related measures which would have declared Columbus Day a national holiday. I was also privileged that same day to appear before the House Judiciary Committee in support of my bill.

Today, 7 months later, I am happy to rise in support of the bill before us which will provide for uniform annual observances of holidays on Mondays. The instant measure contains the basic objective of my bill introduced last year, to pay honor to the memory of Christopher Columbus.

I am pleased and gratified that the House Judiciary Committee has seen fit to call this bill up for consideration, and I call upon my colleagues to respond with a resounding vote of confirmation.

Mr. LEGGETT. Mr. Chairman, we have before the House this afternoon a bill to change the official date of certain legal holidays and to make the customs of the country more uniform by establishing Columbus Day as a fourth legal holiday. Some have opposed this act, feeling that holidays in some manner are sacrosanct from tampering by Congress once they are enacted.

I say what Congress has done, it can do better.

Holidays, of course, have a purpose—to honor certain persons and causes as a day of rest. With the growth of our great society, however, and the great surge on weekends and holidays to camps, national parks, the Federal highways and the great outdoors, these days of rest have been turned into days of recreation and leisure.

This secondary purpose by long experience by both business and labor is much more meaningful, economic and pleasurable if the holiday falls on a weekend.

The Judiciary Committee has done an excellent job with the pending bill, which really should be labeled the "Guaranteed Four Holiday Weekend a Year" legislation. The bill will do more to help more people than anything we do in the Congress this session.

The committee has determined to include Washington's Birthday, Memorial Day, Columbus Day, and Veterans Day as the four equally spaced guaranteed weekend holidays.

Columbus, a great Italian, with Spanish fortune, discovered this New World which today generates two-thirds of the economic power in the free world. Columbus should be honored and I am pleased that the committee has chosen to formally make uniform and national the annual celebration tribute to this great Italian.

Mr. JOELSON. Mr. Chairman, I am pleased that at long last we are recognizing the discoverer of America, Christopher Columbus, by declaring a national holiday in his honor. I have long advocated this step, and wholeheartedly endorse this measure.

Mr. ROGERS of Colorado. Mr. Chairman, I yield 5 minutes to the gentleman from North Carolina.

Mr. WHITENER. Mr. Chairman, when we had the rule under consideration, I made some brief remarks evidencing my opposition to this bill and the total concept of the bill. The committee report contains dissenting views which I wrote which set forth in greater detail than I will undertake today here my opposition to this legislation.

I am quite interested in some of the argument that is made. Originally the Commerce Department and the Civil Service Commission sent forward their letters of complete opposition to Monday holiday legislation. Later, under the pressures of some of the business community these two agencies of the Government changed their views. Now today we have the rather remarkable argument that Mr. Macy, Chairman of the Civil Service Commission, has decided that, after all, another holiday would not cost in excess of \$90 million.

These are rather strange doings that we have here. To comment briefly on the argument made by my friend, the gentleman from Illinois [Mr. McClellan], I do not understand what the relevancy of holidays in other countries is to the question we are considering. Other countries have many practices that I hope our country never adopts, and it comes with little persuasiveness to me that some country elsewhere might take a different view on matters from ours.

I take the view that instead of being concerned about profit, some of these gentlemen who are so concerned with profit should be thinking about prayer.

Instead of being so concerned about profits, perhaps some of them should be concerned about patriotism. So much concern is expressed about traveling, that I wonder if we should not be giving a little attention to tradition.

The American Legion has said that their executive committee opposes a change of the date of Veterans Day and of Memorial Day. The churches—the only organization testifying before the committee in behalf of the churches—say the holiday program proposed by this legislation would be disastrous to the program of education in the religious institutions of our Nation.

I am not going to belabor the matter. There will be amendments offered which will seek to change some of this proposal. I just hope when my grandchildren and great-grandchildren look at the CONGRESSIONAL RECORD for this day, they will not have to say that the one mark their

forebear left was to change the legitimate birthdate of George Washington to another date, and that when the Nation was concerned about tax increases and about her financial condition and about the international relations which seem about to destroy the world, their grandfather was up there on the floor of the House concerned about whether folks would have more fun and pleasure, and that a few business organizations would make more profit on Mondays, and disregarded all of the tradition and background of our Nation.

Mr. McClellan. Mr. Chairman, I yield 1 minute to the gentleman from New York [Mr. Smith].

Mr. SMITH of New York. Mr. Chairman, I rise in support of this legislation. I think it makes good sense to have order in our holidays. I must say all of the people back home to whom I have spoken about this particular legislation seem to be in favor of it.

Mr. ROGERS of Colorado. Mr. Chairman, I yield 1 minute to the gentleman from Missouri [Mr. Hungate].

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

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

Mr. JOELSON. Mr. Chairman, I may say I hear a great deal of talk about precedent, but I think in this body there is ample precedent for Monday holidays.

Mr. HUNGATE. Mr. Chairman, as a cosponsor I favor this legislation and rise in its support.

Mr. Chairman, the officers and members of the chamber of commerce in my district, and the labor unions and members of the labor unions have communicated with me in support of this bill. I think when we get that much agreement between labor and management, that in itself calls for a holiday.

Mr. Chairman, in the 88th Congress in 1964 a Columbus Day bill was introduced by over 30 Senators, and passed the Senate, so we would not break new ground there.

Mr. Chairman, I urge support of the bill.

Mr. ROGERS of Colorado. Mr. Chairman, I yield 1 minute to the gentleman from Illinois [Mr. Pucinski].

Mr. PUCINSKI. Mr. Chairman, I rise in support of this legislation. I am happy we are going to recognize Columbus with a national holiday for there is no question that Columbus was the first to colonize America. But I would like this committee to know that when Columbus arrived on these great shores, he was greeted by the Indian chiefs with great pomp and ceremony. He was very overcome, when the Indian chief told Columbus that he was the first white man to come here to settle permanently. Columbus was deeply moved and said, "Thank you very much. But I am somewhat puzzled, because if I am the first white man to settle here, I would like to ask who are those white people up there against the mountain?"

The Indian looked back and said, "Oh, those are our good Polish friends who come here every year to pick mushrooms."

This legend demonstrates the warm friendship that has always existed be-

tween the Polish people and those of Italian descent.

I am pleased to support this legislation because certainly a grateful nation ought to declare as a national holiday the day we honor Columbus—the discoverer of America.

Mr. McCLODY. Mr. Chairman, I yield such time as he may consume to the gentleman from Connecticut [Mr. MESKILL].

Mr. MESKILL. Mr. Chairman, I rise to support with enthusiasm the Monday holiday bill, H.R. 15951, of which I am a cosponsor. This measure is a modern legislative rarity: it will improve the lot of all our citizens, smooth the paths of commerce, benefit the working man, save money for the country, and possibly lives, and it will not cost the government a penny.

Furthermore, by establishing Columbus Day as a new national holiday, it will accomplish a goal which I have personally sought to bring proper recognition to the Great Discoverer and his valiant countrymen.

The bill provides that three of our present national holidays will be observed on Mondays: Washington's Birthday, third Monday in February; Memorial Day, last Monday in May; and Veterans Day, fourth Monday in October. The new holiday, Columbus Day, will be observed on the second Monday in October.

It should be noted that this legislation technically affects only Federal employees and residents of the District of Columbia. The States, however, traditionally follow the Federal Government in enacting State holidays.

Initially, I had great concern that an increase in long holiday weekends would increase the fearful toll of traffic deaths. During the course of the hearings before my committee, however, very interesting figures were produced to show that this is not likely to be the case.

The Judiciary Committee, of which I am a member, was given data on this point by the Department of Commerce. The Department's study conclusively showed:

On the basis of duration, the one-day, mid-week holidays were the most potent producers of accidents, with an average danger rating (holiday death divided by non-holiday death rate) of 1.83, as compared with 1.18 for 3-day weekends and 1.16 for 4-day holiday weekends.

Another study prepared by the Legislative Reference Service of the Library of Congress compared the number of traffic fatalities over 1-day, 2-day, 3-day and 4-day holidays for five major holidays. Figures for the years 1957-66 were used. This report concluded:

On the Fourth of July, Christmas and New Year's holidays, more people died per day on a 1-day holiday than on a 3-day holiday. Labor Day is always a 3-day holiday but it is significant that the average number of deaths per day for that holiday is lower than the average for most of the other 1-day holidays.

It was also suggested that, as 3-day holidays become more frequent, our inclinations to travel on any particular holiday may be reduced. If this is so, that fact would reduce the number of

Americans on the highways at any given time. I think this is quite likely to happen. The pressure to visit Aunt Sadie over Washington's Birthday, when the weather is not so nice, would be considerably reduced if you know there is another 3-day holiday coming along pretty soon. We will have to see. But it is on the basis of these studies that I feel this bill will save lives and reduce accidents.

The effective date of this measure is very wisely put off until January 1, 1971, however, to give the legislatures of the States sufficient time to adopt the Federal schedule.

The delay is also necessary in order to permit calendar manufacturers to adjust their schedules as well as other businesses and organizations.

The bill promises to reduce the heavy rate of absenteeism among workers which is currently an expensive characteristic of holiday periods. For many industries, it will eliminate costly shutdowns and start-ups caused by mid-week holidays.

For these reasons, Mr. Chairman, I am pleased to have been associated with the progress of this legislation, as a cosponsor and as a member of the distinguished Committee on the Judiciary. I recommend it to the House wholeheartedly.

Mr. McCLODY. Mr. Chairman, I yield myself 2 minutes.

I want to emphasize, before we close the debate on this legislation, that I hope the membership will resist and will not support any amendments to this legislation. The reason for my request and hope is that we have considered various other holidays. We have considered various alternative dates. We have taken a great deal of time considering this in committee.

This does seem to be the best we can come up with.

It is true that other legislation recommended a Monday holiday for the Fourth of July and for Thanksgiving Day, but those were rejected. Those changes did not seem to be popular. The legislation came out in this form.

I believe it would weaken the effect of the legislation if amendments eliminating one or more of the holidays were approved.

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

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

Mr. GROSS. This is a great economy measure, as it was pictured here a little while ago. Why have you left out New Year's Day, on January 1, and Christmas on December 25, and Independence Day on the 4th of July? If this is the great economy measure, why not go all the way?

Mr. McCLODY. Let me say that Christmas Day, the date of the Lord's birth, was celebrated on different dates until, I believe, the year A.D. 300 to 400, at which time one of the Popes designated December 25; so now all Christian sects recognize December 25. But that was an arbitrary date set by the Pope.

I might say that not all sects have followed this, because the Armenian sect still celebrates the Lord's birthday on January 6.

There would be support for that, but it is a religious holiday. I believe that people want to keep it that way.

The 4th of July is an important date, because we recognize Independence Day as the Fourth of July. The committee did not want to support any changes there. I go along with the committee. I believe this is good legislation as it is.

Mr. GROSS. Does the gentleman have some comment with respect to January 1?

The CHAIRMAN. The time yielded by the gentleman from Illinois has expired.

Mr. McCLODY. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio [Mr. McCULLOCH], the ranking minority member of the Committee on the Judiciary.

Mr. McCULLOCH. Mr. Chairman, I rise in support of this legislation. It will serve a useful public purpose and it will be in the best public interest.

I have been amused and entertained—and I do not say that in any derogation whatsoever of this debate—by the importance we give to names and dates.

If Gertrude Stein were alive and were here she would probably say, "A rose is a rose is a rose."

And Shakespeare did say to us, if I can claim a little bit of deviation from the exact quotation, that a rose by any other name would smell as sweet.

I repeat, I support this legislation.

This bill would establish that Washington's Birthday, Memorial Day and Veterans Day would be observed on appropriate Mondays. The bill would also establish a national holiday, Columbus Day, to be observed on the second Monday in October.

I cosponsored H.R. 15951 because I believe that it will allow employees to use their leisure time efficiently. Those who will be most affected by this bill—both labor and management—have indicated their overwhelming support for this legislation.

Hearings were held on the Monday-holiday bill, and the witnesses who testified indicated their enthusiastic support for this legislation. Several privately conducted polls have been taken. The results of these polls, printed on page 11827 of the CONGRESSIONAL RECORD for May 6, indicate strong support for a Monday-holiday bill.

Several arguments have been raised against this worthwhile legislation.

First, it is argued that this bill would increase the slaughter on our Nation's highways. But the facts are to the contrary. A report by the U.S. Department of Commerce relying on data supplied by State highway departments and the Bureau of Public Roads conclusively indicated that the 1-day, midweek holiday is the greatest nemesis for the Nation's motorists.

Taking the danger rating for a typical nonholiday as 1.00, the report indicated that the danger rating of a midweek holiday was 1.83, as compared with 1.18 for a 3-day holiday weekend and 1.16 for a 4-day holiday weekend.

Furthermore, it is just plain common-sense that people will not take long trips on every 3-day weekend. So if more 3-day holiday weekends are provided, the traditional family outings will be spread

over several holidays, rather than being concentrated in one or two.

Second, it is argued that the observance of the new holiday on Columbus Day will cost the Federal Government some \$90 million. This is untrue.

The figure represents the productivity value of the typical workday for those covered by this legislation.

But Columbus Day is not a typical workday. At present, it is a day where absenteeism is high and productivity and efficiency are low. The Federal Government does not work in a vacuum. It works in conjunction with State and local governments and private industry. When the employees of State and local governments and of private industry are celebrating the Columbus Day holiday—as is true in 34 States—it becomes very difficult for the Federal Government to get its work done.

This bill simply recognizes a loss that has already occurred, it does not create a new one.

Third, it was argued in committee that this legislation should not take effect until a majority of the States have indicated their advance consent to the Monday holiday proposal. However, that argument overlooks the fact that this legislation, as a matter of law, applies only to employees of the Federal Government and of the District of Columbia. Of course, it is true that the cosponsors of this bill hope that the State legislatures will decide, in their wisdom, to follow this Federal legislation. That is one reason why the effective date of this bill is January 1, 1971, some 2½ years away.

We have every reason to believe, as the Governors of the States have indicated to the gentleman from Illinois, that the States do like the Monday holiday proposal. However, the bill yields ample time for a second look at the matter, if such indications were incorrect.

Moreover, this is good legislation. It would be psychologically improper to require that the States take the lead in this area.

Fourth, it is argued that Washington's Birthday should be changed to President's Day. It was the collective judgment of the Committee on the Judiciary that this would be unwise. Certainly, not all Presidents are held in the same high esteem as is the Father of our Country. There are many who are not inclined to pay their respects to certain Presidents. Moreover, it is probable that the members of one political party would not relish honoring a President from the other political party while he was in office, no matter how outstanding history may later find his leadership.

Fifth, it is argued that we should not add Columbus Day to the list of Federal holidays. It is said that we should not disdain Leif Ericson and St. Brendan and others who also lay claim to discovering America. But the purpose of recognizing Columbus Day is not to decide as a matter of law who discovered America, but rather to give expression to our well-settled and longstanding cultural tradition of celebrating Columbus Day.

I have tried to answer some of the arguments that are made against this legislation.

I support this legislation because I believe that it will enrich the spirit of our people. I urge the Members of the House to lend their support to this legislation.

Mr. McCLODY. Mr. Chairman, I yield such time as he may consume to the gentleman from Wisconsin [Mr. STEIGER].

Mr. STEIGER of Wisconsin. Mr. Chairman, I rise in support of the legislation. I want to pay tribute to both the gentleman from Illinois [Mr. McCLODY] and the gentleman from New York [Mr. STRATTON], for their leadership in bringing this bill to the House. It was my privilege to testify on behalf of similar legislation before the Committee on the Judiciary. I had hoped that certain other holidays would be brought into line with the uniform Monday holiday approach.

Nonetheless, I support this bill to provide uniform observance of certain national holidays on Monday and believe the Congress would do well to act favorably on it. The holidays to be established are: Washington's Birthday, to be observed on the third Monday in February; Memorial Day, to be observed on the last Monday in May; and Veterans Day, to be observed on the fourth Monday in October. An additional purpose of the bill is to establish a national holiday in honor of Christopher Columbus—a holiday which would be observed on the second Monday in October.

There are, Mr. Chairman, some significant reasons why this bill is worthy of passage.

First. It would help to build real family life by giving our families greater opportunities to relax and vacation for longer periods of time throughout the year.

Second. It would, I believe, cut down traffic fatalities. The National Safety Council has said that the 1-day mid-week holiday, such as we will have this year on the Fourth of July, has the highest highway kill rate. Our colleague, the gentleman from Illinois [Mr. McCLODY], inserted into the CONGRESSIONAL RECORD some very pertinent material on this matter to which I would call your attention.

Third. As the Wisconsin State Chamber of Commerce has pointed out:

It would help the economy by cutting down on absenteeism at work. Split-week holidays also drive-up production costs.

I have received a substantial number of letters from businessmen in the Sixth District of Wisconsin endorsing this principle, Mr. Chairman.

Fourth. In line with my first point, this plan would benefit the important recreation and tourist industry in a State like Wisconsin. Tourism is rapidly becoming one of our Nation's largest industries and its importance cannot be minimized when discussing this bill.

It seems to me that the 3-day holiday idea makes sound, reasonable sense in the years ahead as leisure time becomes more important. The week is not broken up, the working men and women of this country would benefit, and business and industry would not be disrupted.

I first became interested in the uniform Monday holiday concept as a member of the Wisconsin Legislature. A good

friend and constituent, Erbin Harenburg, of Oshkosh, called my attention to this matter and has been a consistent supporter of the idea.

In addition, the proposal has substantial nationwide support.

The Oshkosh Wisconsin Chamber of Commerce in the Sixth District found that 75 percent of those responding to its membership questionnaire in March of last year favored the uniform Monday holiday plan.

The Wisconsin State Chamber of Commerce surveyed 259 Wisconsin communities and found that 76.7 percent of the people who responded were in favor of this plan.

A number of newspapers and radio stations in the Sixth District and Wisconsin have indicated their support for legislation of this kind. They include the Hartford Times-Press, radio station WHBL in Sheboygan, and both WTMJ-TV and WITI-TV of Milwaukee. In addition, many citizens of the Sixth District have written urging adoption of this bill. The Sheboygan Chamber of Commerce has wired me today stating:

We respectfully urge your support for passage of this measure.

Radio station WHBL of Sheboygan summed up very nicely the reasons for this legislation in its editorial of March 27, 1967, when it said:

We believe there are several good reasons for this change. First, the three-day weekend would make more time available for family vacation trips and outings which cannot be done so easily when the holiday is observed on a single day in the middle of the week. This, we think, would make holidays more meaningful.

Second, it would reduce the absenteeism and disruption on adjoining days which business and manufacturing plants report always occurs when holidays fall in the middle of the week.

Some (opponents) also assert that changing the dates of national holidays would be improper because of the historical precedent. But history shows that most holidays are not observed on the day of the event which they honor, such as the Fourth of July. The Declaration of Independence was actually signed on July 2.

This bill, of course, does not affect the July Fourth holiday.

I believe the case is clear in favor of making these changes. I trust my colleagues will act favorably on this legislation today.

Mr. ROGERS of Colorado. Mr. Chairman, I ask unanimous consent that the gentleman from New York [Mr. DULSKI] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. DULSKI. Mr. Chairman, I rise in support of H.R. 15951, a bill to set observance of certain national holidays on Mondays.

I particularly support the proposed designation of Columbus Day as a national holiday. Under this bill, Columbus Day would be observed as a national holiday on the second Monday of each October.

This is long overdue national recognition for Christopher Columbus, al-

though he already is honored officially each year in 34 of the 50 States. I have sponsored legislation for a national holiday repeatedly since I came to Congress.

In this Congress, I introduced H.R. 512 to designate October 12, Columbus Day, as a legal public holiday. Hearings were held last October 4 and 5 by House Judiciary Subcommittee No. 4.

There were 51 individuals or groups who offered testimony, including 35 Members of Congress, strongly supporting establishment of Columbus Day as a national holiday.

My indicated preference and that of most all sponsors in the past has been to designate October 12 for the holiday.

But I am not wedded to that particular date, and I am assured by many of those who have supported my bill that they likewise are not insisting on the October 12 date. What we seek to accomplish is recognition for Columbus with a national holiday.

Thus, I am supporting wholeheartedly the proposal in this bill to designate the second Monday in October as Columbus Day.

There is much to be said for changing as many holidays as possible to Mondays. I recognize that there are some people who have different views and I respect their beliefs.

However, in these days of shorter work weeks and a greater mobility by our population, it seems to me that there would be less disruption to commerce, to education, to family life, if more holidays were added to weekends.

Mr. Chairman, I support, without amendment, the pending bill, H.R. 15951, as reported by the House Committee on the Judiciary.

Mr. Chairman, the National Columbus Day Committee is headed by Mariano A. Lucca, a resident of my home city of Buffalo, N.Y.

Mr. ROGERS of Colorado. Mr. Chairman, I yield 5 minutes to the gentleman from Louisiana [Mr. WAGGONNER].

Mr. WAGGONNER. Mr. Chairman and members of the committee, since we know so much about how these holidays began and the part played by the different races of people, I believe we ought to afford the gentleman from Illinois [Mr. PUCINSKI] an ample opportunity, since time did not allow him to do so, to explain to the House how the Indians knew the people they faced were white people, when the first settlers got here.

You know, I sit here and listen to this discussion and I am reminded of a story that perhaps many of you have heard from time to time, which involves a conversation on one occasion between an architect, a doctor, and a politician. They sat discussing among themselves which of their professions was first and which of their professions was the oldest. The architect said he was sure his profession was older than any of the others because somebody had to bring order out of chaos and nobody but an architect could do that. The doctor attempted to justify his belief that his profession was the oldest by saying that in the beginning it took the rib from one to help make another. Nobody but a doctor could have done that. The politician responded to the

question, "Well, who do you think created the chaos that made it necessary to bring some of the order to this world you talk about?"

It is no wonder that this country is in the shape it is when this Congress in these critical days spends the time that they spend arguing about such trivial matters as changing the dates of holidays. There are better things that this Congress could do. Some people attempt to justify the need for establishing Monday as a uniform holiday as being one which will reduce the cost of these holidays to the Government. Well, if it will reduce the cost of the holidays to the Government, why do we not go all the way and make every holiday fall on Monday, if this is a logical, legitimate, and factual argument? It is not. That is the answer. It will not reduce the cost of the holidays to the Government.

But I will tell you what it will do. By adding a Monday holiday like Columbus Day, it will cause the Federal Government to declare an additional Federal holiday when it will pay time and a half or double time for an additional holiday. Now, if you can tell me how that reduces the cost, you are good with arithmetic and figures, but you cannot prove the point. You can say it until hell freezes over, but it does not make it so.

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

Mr. WAGGONNER. I will be glad to.

Mr. McCCLORY. I thank the gentleman for yielding, because the testimony before the committee was that the most disruptive effect on the civil service was a Tuesday or a Thursday holiday, because of the absenteeism and because of the inefficiency which occurred when people were not there and when they take a 4-day weekend holiday because of the holiday not falling on Monday or Friday. It is to overcome that as well as to provide this opportunity for people to be together with their families on the holiday 3-day weekend that we favor this legislation.

Mr. WAGGONNER. Will the gentleman answer me this question: Are the same people who furnished him that information the same people who have been preparing estimates of the financial status of the Government for these many years? Would it not be just about as accurate to say that they are wrong here as they have been in so many of the other instances?

Mr. McCCLORY. If the gentleman will yield further, I will answer his question in this way: Private industry, it seems to me, recognizes what the problem is when you have Monday and Friday holidays. The Chamber of Commerce of the City of New York estimates that 40 percent of New York's business will close down on the Friday after Memorial Day and on the Friday after the Fourth of July this year because those days both fall on Thursday this year. They figure these as complete losses. It is that sort of a situation that private industry is trying to overcome and that sort of a situation which we in the Federal Government also want to overcome.

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

Mr. WAGGONNER. I will be happy to yield to my friend from Florida.

Mr. HALEY. If this bill is such an important bill, I wonder how this great Nation has not taken this action before. Nobody in this Nation today seems to be giving enough time and thought to work. The result is that we are in the worst financial crisis that we have ever been in and we have spent beyond our income. We continue to tear down the traditions of the American people and make light of the holidays that should be held sacred by every loyal American. I think it is one of the most ridiculous bills that has ever been brought before the Congress of the United States, and I hope it is defeated.

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

Mr. WAGGONNER. Will the gentleman yield me some additional time?

Mr. ROGERS of Colorado. I yield the gentleman 5 additional minutes.

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

Mr. WAGGONNER. I shall be happy to yield to my distinguished friend, the gentleman from North Carolina.

Mr. WHITENER. I think it may be well for the RECORD, although I know the gentleman from Louisiana is familiar with it, to read a sentence or two from a letter addressed the Honorable EMANUEL CELLER from Mr. John D. Macy, Jr., Chairman of the Civil Service Commission. The letter is dated May 16, 1967. Bear in mind that this letter was addressed to the chairman of the Committee on the Judiciary. He said that the cost of an additional holiday would differ under various circumstances and that there are different considerations to be taken into account. He points out the question about overtime for certain employees, a question which has already been pointed out by the gentleman from Louisiana [Mr. WAGGONNER]. His observation is that it would run roughly \$4 million or \$5 million and that the man-days lost each year would be extremely heavy and that the question of premium pay would become involved in the situation which would run the total to around \$90 million. This was before the latest pay raise for Federal employees.

Mr. WAGGONNER. Mr. Chairman I ask what was the purpose of establishing any holiday to commemorate any individual or any occasion? It was to make meaningful that event or something about that individual. To record it for history. Holidays and commemorative events were not created for the purpose of trade or commerce. They should not be so used.

And, Mr. Chairman, if we through this legislation here today take any of these specific holidays from their long accepted observance as they have been so recognized, then we will have abandoned the principle for which the holiday was established in the first place and you have made it a tool of trade and commerce. This was never intended to be.

You have further commercialized and made further meaningless something that has the respect of the people of this country. You have helped to destroy history for future generations.

Now, you talk about the chamber of

commerce supporting this proposal. This means, because no other has been mentioned, the Chamber of Commerce in New York. But there are other chambers of commerce which do not support it. You have forgotten that the American Legion opposed it; you have forgotten that many of the churches oppose it, because you talk about what it is going to do by having a long holiday. The churches are not for having these long holidays because some of the preachers of the Nation know that it is going to take some of the people from the churches on Sunday, and this is the truth.

Mr. Chairman, this will open the door and it is just the foot of the Federal Government intruding into an area into which we should not intrude. What you are doing is making it a tool for the Congress to assume unto itself the responsibility of establishing by whim for example a uniform Sabbath under the guise of aiding and abetting commerce. I call upon those who support this legislation to convince me that we ought to pass it. If you cannot do so, then you have forfeited your right to support this legislation.

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

Mr. WAGGONNER. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. Your own State of Louisiana recognizes Columbus Day as a holiday.

Mr. WAGGONNER. That is right.

Mr. ROGERS of Colorado. Is that wrong in the State of Louisiana?

Mr. WAGGONNER. Not if they want to do it.

Mr. ROGERS of Colorado. Well, what is wrong then if we want to do it?

Mr. WAGGONNER. But they do not do it on Monday and you are telling the State of Louisiana what to do from now on. We have already gotten in enough trouble doing what you say we ought to do.

Mr. ROGERS of Colorado. I am sure that the State of Louisiana would not lose anything if you did put Louisiana on a uniform Monday holiday system.

Mr. WAGGONNER. But, would they gain anything?

Mr. ROGERS of Colorado. Yes, they certainly would.

Mr. WAGGONNER. What?

Mr. ROGERS of Colorado. First of all, they would gain because, as has been pointed out here, if the holiday fell in the middle of the week you have absenteeism workers and you lose certain economic benefits.

In addition, under a Monday holiday program if the gentleman wanted to come out to my State he would have 3 days in which to do it.

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

Mr. ROGERS of Colorado. Mr. Chairman, I yield 1 additional minute to the gentleman from Louisiana.

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

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

Mr. McCLODY, Mr. Chairman, I thank the gentleman for yielding.

I know that the gentleman would not deny to any of the State legislatures the

right to enact Monday holiday legislation if they so chose, and I might point out to the gentleman from Louisiana that the State of Massachusetts has already enacted Monday holiday legislation. The State of New York is considering it. A bill has already passed the House and is now pending in the Senate.

There are nine or 10 other States that have legislation pending.

Mr. Chairman, I believe that the great value we have in having Federal legislation is that it would set a pattern for the States to follow.

Let me say further that the committee sent communications to Governors of the various States, and of those who replied 15 of them indicated their support for the legislation, and only four of them indicated opposition to the legislation.

Mr. WAGGONNER. In other words, the committee had less than one-third of the Governors of the States supporting the legislation, 15 out of 50? That is not very much of a percentage, that is a rather weak percentage, it seems to me.

Also, the gentleman spoke of Massachusetts. Massachusetts has tried to lead us in some other things. They have a young man who, I believe, originally came supposedly from Massachusetts who now wants to be President of the United States. Does the gentleman mean to follow him because he is from Massachusetts?

The gentleman is not responding. He is a member of the other party, it would be easy for him to reply.

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

Mr. McCLODY, Mr. Chairman, I yield 1 additional minute to the gentleman from Louisiana.

Mr. Chairman, I did not hear the question asked by the gentleman.

Mr. WAGGONNER. I said that the gentleman made reference and much to do about the fact that Massachusetts—one State, only one, out of 50—had taken some official action in this direction. So now 49 other States are to be herded in line.

But the point I want to make: There is a young man who is supposed to be leading us who originated in Massachusetts. Does the gentleman want to follow him, too?

Mr. McCLODY. I do not know to whom the gentleman is referring. I come from Illinois, and I can answer only for our great patriots in Illinois.

Mr. WAGGONNER. He has had a hair-cut lately, if that will be of help.

Mr. McCLODY. There were more Governors who have indicated that it is up to Congress, for they did not want to interfere with our prerogatives. But 15 of those Governors did indicate that they were in favor of it; only four of them indicated opposition.

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

Mr. ROGERS of Colorado. Mr. Chairman, I yield such time as he may consume to the gentleman from West Virginia [Mr. HECHLER].

Mr. HECHLER of West Virginia. Mr. Chairman, I strongly support this legislation, and have introduced companion legislation and publicly indicated my ap-

proval of the pending bill. Change will always be disturbing to some who revere tradition, yet all of us realize that this bill does not in any way affect tradition and in fact it enables the people of this Nation to honor and observe these holidays in a more appropriate fashion.

How many times have we asked "Why do holidays have to come in the middle of the week, when we have to rush within a short period to observe them in a frantic fashion?" Many people have raised the question why it is not possible to schedule the observance of holidays when they are the least disruptive of the average person's work schedule and the regular business which the Nation must carry on. To interrupt a regular work schedule during a week, at odd times, is not conducive to a meaningful tribute to the day or person we honor. It also disturbs the momentum of a week's work.

Mr. Chairman, perhaps it may seem strange for a bachelor to extol the virtues of family life, yet I honestly feel that this is a family bill which will help weld the families of our Nation closer together. The uniform observance of these holidays on Mondays will enable families to be together, to travel together, and for members of the family from faraway spots to return home to their loved ones.

I believe that this is sound legislation which will meet with the approval of an overwhelming majority of the citizens of our Nation. It will enance the pride and patriotic feeling which all of us demonstrate in honoring these observances.

I certainly hope that the bill will pass without amendment.

Mr. BOLAND, Mr. Chairman, we in the House will act today on a bill calling for changes in the dates of three national holidays to make them fall on Mondays and for the establishment of a new national holiday honoring Christopher Columbus.

I want to express my support for this bill—H.R. 15951—and to urge its prompt enactment into law.

The bill would change the date of Memorial Day from May 30 to the last Monday in May, of Washington's Birthday from February 22 to the third Monday in February, of Veterans Day from November 11 to the fourth Monday in October. These changes are identical to the ones proposed in H.R. 12771—a bill I introduced on September 11 of last year. The benefits of such changes, Mr. Chairman, are legion. Aimed at creating three new extended weekends, the bill we are considering today would give this country's millions of working men and women more time to spend with their families. It would grant them greater opportunities to travel, to pursue hobbies, to take part in cultural and educational activities. The bill, moreover, would clear away a significant barrier now standing in the way of industrial and commercial efficiency—midweek holidays that snarl production schedules. H.R. 15951 has earned support from a wide range of organizations throughout the United States. Groups advocating the bill range from the U.S. Chamber of Commerce, to the National Association of Travel Organizations, to the Government Employees Council of the AFL-CIO. Public opinion

polls, furthermore, indicate that an overwhelming 93 percent of the people are squarely behind this legislation.

The dates on which the three holidays are now celebrated are not of great historical significance. The dates, in fact, are highly disputable. The precise date of Washington's birth is a matter of conjecture. Memorial Day has been celebrated on several diverse dates in the past, and, since this holiday now commemorates the dead of all our wars, there is no valid reason for retaining the May 30 date established a century ago as a Decoration Day honoring the Civil War dead. Similarly there is no valid historical reason for retaining the November 11 date for Veterans Day. Originally known as Armistice Day, its date determined by the cease-fire that brought World War I to a close, the holiday now honors all this country's veterans instead of just the veterans who fought in World War I.

I am particularly delighted, Mr. Chairman, that H.R. 15951 calls for a national holiday honoring Christopher Columbus. A national Columbus Day, as the gentleman from New Jersey, Congressman ROBINO, has pointed out, would constitute "an annual reaffirmation by the American people of their faith in the future, a declaration of willingness to face with confidence the imponderables of unknown futures." Columbus, the 15th century mariner who risked his life searching out new worlds for his homeland, stands as an exemplar of the kind of courage and faith the gentleman from New Jersey [Mr. ROBINO] has cited. The holiday, moreover, would serve as a reminder to our citizens that the United States is a "nation of immigrants"—a phrase used often by our late President John F. Kennedy. In opening up the New World to exploration and colonization, Columbus inaugurated a tradition of immigration to the Americas that has continued to the present time.

Again, Mr. Chairman, I urge swift passage of H.R. 15951.

Mr. TIERNAN. Mr. Chairman, I rise in support of H.R. 15951, as amended, which provides for the uniform annual observance on a Monday for the national holidays of Washington's Birthday, Memorial Day, Columbus Day, and Veterans Day. With the passage of this legislation, five of our nine national holidays including Labor Day will be observed on a Monday thus giving greater opportunities for families to get together and for commercial and industrial business to operate more efficiently.

I am particularly pleased that the Judiciary Committee has recommended that Columbus Day be established as a national holiday. My congratulations go out to the distinguished gentleman from New Jersey [Mr. ROBINO] for his perseverance and diligence over the last 20 years in seeking to have Christopher Columbus so honored.

All of us are immigrants and we derive our strength as a nation from all nationalities. Surely, the opening of the New World was one of the greatest milestones in the history of mankind. By honoring Columbus, we recognize the many contributions made by those of Italian ancestry who followed Columbus

to America. Columbus Day as a national holiday will give all Americans an opportunity to pause and remember the great achievements accomplished by men such as Columbus and a chance to reflect on the courage and spirit of the discoverer of the New World.

As a Knight of Columbus and as a citizen of Rhode Island, one of the 38 States that officially honors Columbus with a State holiday, I feel that we can do no less to remember this brave adventurer than by the establishment of a national holiday in his honor.

The Monday holiday bill will encourage greater participation by more citizens in civic cultural or educational endeavors. It will also improve commercial and industrial production by minimizing disruption of production schedules by midweek holidays. Employee absenteeism should also be reduced as a result of this legislation because the temptation to stretch a midweek holiday into a long weekend will be eliminated in at least four instances.

My mail has been overwhelmingly in favor of this change and I believe this to be the case with most of my colleagues. I am convinced that the people want a change and I believe we have a responsibility to them to heed this reasonable request. Mr. Speaker, I urge speedy passage and enactment of this legislation.

Mr. PODELL. Mr. Chairman, I wholeheartedly support the passage of H.R. 15951.

This bill does exactly what many ordinary citizens across the land have been suggesting for years: To set the observance of three national holidays on Monday. These holidays are Washington's Birthday, which would be observed on the third Monday in February, Memorial Day which would be observed on the last Monday in May, and Veterans Day on the fourth Monday in October. In addition, the bill provides for a long overdue additional holiday, Columbus Day, to be observed on the second Monday in October.

There is a double thrust to this bill, for it makes holidays into 3-day weekends and also promotes Columbus Day to the position of a nationally recognized holiday. I support both these objectives.

The observance of holidays on Mondays is more convenient. It seems to me that the important thing is the observance, not the date. To me, the best holiday is the one that is observed and enjoyed by the most people. Midweek holidays prevent many people from joining their families and friends for celebrations. The popularity of 3-day holidays is evident, I think, in some of our own offices, where many of our staff people prefer to work the day of the holiday and take a Monday or a Friday instead.

I would like to mention one objection that I have heard voiced—that 3-day holidays are an occasion for more highway accidents, since they would encourage more traveling. According to all the statistics that I have been able to accumulate, just the opposite is true. With 3 days in which to travel, people do so at a more leisurely pace, knowing that they do not have to make the trip and return all in 1 day. Drivers are therefore more rested and more alert.

I consider the second part of the bill to be equally important as the first. Columbus Day has too long remained a helter-skelter holiday—here it is, there it is not. If we can have a national holiday to honor our independence, the ends of our wars, and our working men and women, surely we owe one to the remembrance of the man who discovered our land and took the news of it back to Europe, thus beginning our whole history.

The time is long overdue to honor this brave and farseeing Italian navigator, and I applaud this move to give him the official recognition he deserves. For both of these good reasons, I endorse H.R. 15951.

Mr. PATTEN. Mr. Chairman, I enthusiastically support the bill that would change the observance of four Federal holidays to Mondays: Washington's Birthday; Memorial Day; Columbus Day; and Veterans Day.

I support the measure for several reasons, because it would: Enable families to spend more extended time together; eliminate interruptions in the school curriculum; prevent expensive midweek factory shutdowns; furnish additional revenue for the resort industry—one of the most important in New Jersey.

Although traditionalists may object to the proposed changes, hearings conducted by the House Judiciary Committee showed that the idea is "a popular one." Support at the hearings was "broad and varied."

For instance, among those supporting the bill were: the U.S. Chamber of Commerce; the National Association of Manufacturers; the National Retail Federation; the American Federation of Government Employees; the Government Employees Council of the AFL-CIO; and the U.S. Departments of Commerce and Labor.

Hearings also noted that public opinion polls showed that most Americans support Monday celebrations for the four holidays.

The bill, of course, covers only Federal employees. However, there is strong hope that all 50 States will eventually pass similar legislation. Massachusetts has already passed such a law and eight other States may do so in the near future.

One of the outstanding daily newspapers in the congressional district I represent—the Evening News of Perth Amboy, N.J.—recently published an editorial supporting the bill we will vote on today.

It is called, "Holiday Bill Has Merit," and the contents of the editorial follow:

HOLIDAY BILL HAS MERIT

The effort continues in Congress to have more holidays fall on Monday.

Among those supporting a bill to provide for the holiday changes is Rep. Edward J. Patten, D-Middlesex. The bill he favors calls for observing Washington's Birthday, Memorial Day, Veterans' Day and Columbus Day on Mondays.

If enacted it would benefit both workers and businessmen. Businessmen would be able to set up more efficient work and production schedules. Travel agencies also favor the bill for obvious reasons.

The plan would enable families to spend more time together, eliminate interruptions in school calendars, reduce the number of mid-week plant shutdowns and give the

state's resort industry an opportunity to attract more patrons—and more revenue.

The U.S. Chamber of Commerce, the National Association of Manufacturers, the National Retail Federation, the American Federation of Government Employees, the Government Employees of the AFL-CIO and the U.S. Department of Labor and Commerce want the bill passed.

There does not seem to be any valid reason why these four holidays cannot be observed on a Monday.

Washington's Birthday would be on the third Monday in February; Memorial Day on the last Monday in May and Veterans' Day on the fourth Monday in October.

Columbus Day as a national holiday is proposed for the second Monday in October. Many states observe Oct. 12 as Columbus Day.

Although Lincoln's Birthday and Independence Day are not mentioned in the pending bill, there is no valid reason why both holidays also could not be observed on a Monday.

The bill on Congress has been approved by the House Judiciary Committee.

Although the bill would apply only to federal employees, the expectation is that eventually all 50 states would pass a similar measure.

Mr. DERWINSKI. Mr. Chairman, a number of Members hold to the historic argument that America was first discovered by Leif Ericson. Others support the historic view that Irish monks were the first to reach the shores of the New World.

However, I direct to your special attention the fact that there is a very strong historic argument that Jan z Kolna, a Polish sea captain, reached the New World in 1476.

The following historic account is from "Polska w kulturze powszechniej: dzieło zbiorowe, pod red," published in 1918:

Jan z Kolna . . . heard the call of Christian II, the Danish King, and set sail to save the remains of the Danish settlements in Greenland, where the first brilliant period of Norse colonization came to a tragic end at the close of the fourteenth century. Jan z Kolna did not reach Greenland, but discovered, on the other side of the ocean, lands which Lelewel in his analysis interprets as Labrador, Baffin Land and the Hudson Straits. Jan z Kolna's voyage took place in the year 1476, thus preceding the voyages of the Cabotto Brothers and of Cortereal to the same region by twenty years.

This is in accordance with an account in the standard Polish encyclopedia of 1900:

A Pole, Jan z Kolna, serving in the Danish Navy, discovered in 1476, the Anjun (Anian) Straits and the coast of Labrador . . . (he) is considered therefore one of the predecessors of Columbus.

In addition, Mr. Chairman, the French Jesuit Charlevoix—circa 1750—referred to "Jean Scolve, a Pole" as having reached America in 1476.

Many Members have expressed to me the belief that Columbus Day should be designated "Discoverers of America Day." This will do historic justice to the Irish monks, Leif Ericson, and above all Jan z Kolna. In addition to providing a more practical designation honoring the various explorers who reached the Western Hemisphere, long overdue recognition of the achievement of this great Polish sea captain will put an end to the Polish jokes which have swept the country in recent years.

Mr. WYMAN. Mr. Chairman, I rise in support of H.R. 15951—the so-called Monday-holiday bill. Nearly a year ago I introduced a bill similar to the one presently under consideration which would have provided that Washington's Birthday, Memorial Day, Independence Day, and Veterans Day should be observed on Monday. The bill we now have before us has added Columbus Day as a national holiday while continuing the observance of Independence Day on the 4th of July—regardless of the day of the week upon which it falls. I accept this compromise and believe that the bill should pass.

The observance of these four holidays on Monday will provide added opportunities for families to plan and to carry out family-type activities; whether traveling to be with others in the family or visiting one of the various historic sites associated with each holiday or just enjoying three uninterrupted days of one's favorite leisure activity.

Substantial economic savings will also be realized by observing these holidays on Monday. These would manifest themselves in improved production schedules resulting from reduced midweek shutdown time and in greatly reduced personal absenteeism on the days immediately proceeding or following a holiday. Experience has shown that when a holiday comes in the middle of the week, absenteeism rises sharply.

Mr. Chairman, the support for this legislation is widespread, bearing the support of business, business groups, labor, government, and most importantly the general public.

But this is not to say that there is no opposition to this bill. There is, and this opposition is sincere.

Those who oppose the observance of these holidays seem to fall into two general categories; those who fear for the loss of historic or patriotic or religious significance, and those who are concerned from the standpoint of safety that these long weekends will bring about additional highway deaths.

Mr. Chairman, I do not believe that these arguments are compelling. Memorial Day, of course, was originally observed as a day to honor those who gave their lives during the Civil War. However, that day is no longer set aside to honor the war dead from that war alone, but to honor those who have made the supreme sacrifice in all wars—and I believe that there will be no loss in significance if this day does not happen to fall on May 30. The same argument, I think, can be successfully applied to Veterans Day. Originally this was known as Armistice Day and its date determined by the cease-fire that was arranged between Germany and the Allies bringing World War I to a close. But it is no longer a day honoring the veterans of that war alone. Rather it is now a day to pay tribute to our veterans of all wars and its observance can be appropriately celebrated on a day other than 11 November without any loss of historical association.

As for the safety aspects of added 3-day weekends, my understanding is that midweek 1-day holidays have a higher incidence of accidents than 3-day weekends, which in turn has a higher inci-

dence than a 4-day weekend. It seems to me that added time in which to travel will greatly reduce the numbers of those on the highways trying to rush too much into too little time and hence will bring about an actual reduction in the number of accidents involving holiday travelers.

H.R. 15951 is a good bill, with widespread support across the land, and I urge its adoption.

Mr. McCORMACK. Mr. Chairman, with the arrival of Columbus in the New World, the history of America as we know it begins. And with that arrival also begins the history of Italian contributions to the growth of the American colonies—first Spanish, later English—and to the subsequent American Republic.

The countless Italians who have contributed substantially to American history and progress are perhaps best epitomized in the person of Filippo Mazzei, who first penned the phrase, "All men are by nature created free and independent," later so eloquently paraphrased by Thomas Jefferson in the Declaration of Independence. Filippo Mazzei was well acquainted with Jefferson, Washington, Franklin, Patrick Henry, and other famous Revolutionary patriots. He came to Virginia at the invitation of Jefferson and Franklin in 1773, after having lived in England for 18 years. He continued, after the Revolution, to serve his adopted country in a variety of capacities—including those of foreign minister and purveyor of valuable art.

Italians helped to explore the Southwest long before the English ever settled the east coast. In 1539 Fra Marco da Nizza led Coronado's famous expedition beyond the Grand Canyon into what is now the State of Kansas.

Italians were also prominent among the early settlers of Colonial America:

A glass factory was being operated by Italians in Virginia before the Pilgrim Fathers had colonized Plymouth.

A group of Italians, who, on Christmas Day, 1656, had set sail from Holland, founded New Castle, Del., in 1657; these were Protestant Piedmontese who previously had suffered persecution throughout Europe. Other Italians subsequently settled in Staten Island, N.Y., North Carolina, and Georgia.

In 1679, an Italian, Enrico Tonti, built the *Griffon*, the first ship to sail the Great Lakes, and accompanied LaSalle on his exploration of the Mississippi.

Records indicate that a large number of persons of Italian blood died in the American War for Independence.

In 1779 an Italian friend of Filippo Mazzei was appointed as the first teacher of modern languages in America, at the College of William and Mary in Virginia.

And it is perhaps not widely known that the influence of Francesco Vigo, a prominent Italian fur trader in the West, assisted the victory of General George Rogers Clarke at Fort Vincennes in 1779, which preserved American sovereignty over the area which was to include the States of Ohio, Indiana, Illinois, Wisconsin, and Michigan.

Italians continued to serve the United States as it developed its national identity. It is estimated that over 200 Italian officers fought in the Civil War, and that nearly a million men and women of

Italian extraction were members of the U.S. Armed Forces during each of the world wars.

The list of Italo-American names figuring prominently in the rise of contemporary America is as impressive as it is long. I mention, only by way of example, the names of men such as Louis Amateis, who sculpted the bronze doors of the west entrance of the Capitol; and Constantine Brumidi, who painted the walls in the Capitol corridors. The contributions of these men to the visible symbol of our national unity is indicative of Italy's place in the American spirit.

Let us consider the 20th century:

In politics, the name of Fiorello la Guardia is immortal.

In science, the name of Enrico Fermi is an enduring testament to the spirit of discovery that we admire in Columbus.

The American opera stage has been dominated by men and women of Italian origin: Enrico Caruso, Rosa Ponselle, Antonia Scotti, Renata Tebaldi, and Anna Moffo are representative.

The name of the master conductor—Arturo Toscanini—is synonymous with music itself.

It is altogether fitting that we pay tribute to a man who embodied the best qualities of Italy. For, in Columbus was incarnate the sturdy determination which led Italy first to rule the world by force of arms, and then, later, by the power of her intellectual heritage. He is a symbol of his countrymen's finest qualities.

It is also true, however, that Columbus, though the special son of Italy, belongs to all Americans.

Columbus was an altogether exceptional man, one of the few human beings whose actions changed the course of world history. He was a man of restless energy, who dared to defy the convention of prevailing prejudice for the sake of conviction. He was the first American. And all Americans honor him.

Mr. FASCELL, Mr. Chairman, I wish to add my support to the bill now being considered, the Monday holiday bill.

This bill, H.R. 15951, is similar to the bill I cosponsored to establish uniform Monday holidays, and thereby create 3-day weekends. H.R. 15951 would move three of our present legal holidays to Monday—Washington's Birthday, Memorial Day, and Veterans' Day—thereby establishing 3-day weekends.

In addition, this bill will establish a new national holiday in honor of Columbus. It seems only fitting that we set aside one day to remember the courageous man who discovered America and introduced our continent to the Western World.

Several polls have been conducted which have indicated strong public feeling in favor of these changes to provide for 3-day holiday weekends. One such poll was conducted by This Week magazine. The results clearly showed that the public had a definite preference for 3-day weekends. In another poll, conducted by the Chamber of Commerce of the United States, 85 percent of the membership indicated that they preferred the principle of the uniform Monday holiday and 90 percent indicated

that they believed their employees would like the idea.

The uniform Monday holiday proposal has also been endorsed by many public and private groups in my own State of Florida. This includes an endorsement by the Governor and the entire State cabinet. In addition, the Monday holiday proposal has the enthusiastic support of the Miami-Dade County Chamber of Commerce and other local business organizations. It also has enjoyed widespread editorial support throughout Florida.

The only substantial objection to the uniform Monday holiday plan, that has come to my attention, has been on the grounds of the heavy traffic fatality toll on holiday weekends. This objection, it seems to me, is satisfactorily answered by the statistics taken from a report of the National Association of Travel Organizations based on figures supplied by the National Safety Council. The report says:

One-day midweek holidays are the most potent producers of accidents, with an average danger rating of 1.83, as compared with 1.18 for 3-day holiday weekends and 1.16 for 4-day weekends.

The American public has repeatedly shown its interest in having additional 3-day holiday weekends. This bill would accomplish that goal without decreasing the number of workdays each year and with a probable increase in worker efficiency.

I urge that this proposal be adopted by the House of Representatives.

Mr. ANDERSON of Illinois, Mr. Chairman, as a result of the enactment of the legislation we have under consideration here on the floor of the House of Representatives this afternoon, the official recognition so long overdue Christopher Columbus will at last be provided by the designation of national holiday in his honor.

As every school child in America knows, though Columbus died believing he had merely found a new passage to the East Indies and never dreamed he had found a New World, the credit for the discovery of the American continents belongs to him. It was Columbus' courage and his deep faith that sustained him and drove him to continue to seek a way to prove his theory. After securing the financial backing of the King and Queen of Spain and after more than a month at sea, on October 12, 1492, his faith was vindicated and his theory proven as a member of his crew spotted land ahead. The land undoubtedly was one of the islands of the Bahamas and a new page in the history of mankind was written.

The poet, Santayana, very aptly observed:

Columbus found a world, and had no chart,
Save one that faith deciphered in the skies;
To trust the soul's invincible surmise
Was all his science and his only art.

Over the years I have worked closely with the grand lodge of the State of Illinois, Order of the Sons of Italy, and its Grand Trustee Miss Mary Misuraca of Rockford, Ill., in a continuing effort to secure the establishment of this holiday.

We are thus delighted that at long last this dream has been realized.

Mr. SCHWEIKER, Mr. Chairman, for many years I have sponsored legislation to make Columbus Day a holiday. I am glad that the House is finally moving to make such legislation a reality.

The bills which I have introduced repeatedly in the past years would have established October 12 as a nationally recognized holiday in the same category as New Year's Day, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving, and Christmas.

There is every reason why the Federal Government of the United States should act in conformity with the overwhelming majority of the States of our country in recognition of the discovery of America by Christopher Columbus.

The declaration of Columbus Day as a holiday will give recognition at once to one of the greatest events in history, the discovery of the New World; to one of the noblest characters in history, Christopher Columbus; and to the vast contributions made by the Latin element, and particularly the Italian, in the discovery, exploration, and total development of America.

The Italian Americans have made a tremendously rich contribution to the United States and it is high time that we take action to recognize their contribution, along with that of Columbus, in making Columbus Day a holiday. I am proud to have played a small part in this.

Mrs. KELLY, Mr. Chairman, I rise in support of H.R. 15951 to provide uniform annual observances of four legal public holidays on Monday and to include Columbus Day by declaring October 12 to be a legal holiday.

H.R. 15951 as reported recommends that these four legal holidays be celebrated on a Monday: George Washington's Birthday, Memorial Day, Columbus Day, and Veterans Day. This bill, if enacted, would apply to observances of holidays by employees of the Federal Government and of the District of Columbia. The States would then have until January 1, 1971, to enact similar legislation if they wished, since H.R. 15951 is designed to go into effect in 3 years.

On September 18, 1967, I introduced H.R. 12957 declaring October 12 to be a legal holiday. The introduction of a number of similar bills and resolutions in the 88th, 89th, and 90th Congress is indicative of the continued interest and support in declaring October 12 a national legal holiday. In the 88th Congress, 31 bills and resolutions were proposed; in the 89th Congress, 43; and in this Congress, the 90th, at least 37 such measures have been introduced.

Recent scholarly studies of North America's history now tell us that Columbus might not have been the first explorer to reach these shores. However, his voyage to the New World is deserving of commemoration by our Nation. To everyone regardless of descent, Christopher Columbus was the real discoverer of America and a significant contributor to world development, economy, and science.

As a young man, Columbus studied

maps, charts, and books of travel. In his youth he traveled from Genoa to England. His convictions, often scorned by his contemporaries, were that the earth was spherical as well as circumnavigable. Columbus worked for 8 years to convince Ferdinand and Isabella, the King and the Queen of Spain, of the necessity for them to finance his voyage, to find a westward passage to Asia, a shorter route than was known at that time.

On October 12, 1492, Columbus landed in the New World, with three small ships and his company of 120 men. Thus, he opened the door to the Western World.

In the Western Hemisphere, 13 Latin American countries celebrate Columbus Day. In Canada the discovery of the New World is celebrated by practically every province. In our own country, 34 of our 50 States, plus Puerto Rico, join in the observance of this day.

In order to pay tribute to the courage and the determination of Christopher Columbus, discoverer of the New World; to join our Western Hemisphere neighbors; to unify the individual holidays of 34 of our States with the Federal Government; and to unify our heritage with Spain and Italy, I respectfully urge favorable consideration of H.R. 15951 which includes declaring October 12 to be a legal holiday.

Mr. ADDABO. Mr. Chairman, I rise in support of H.R. 15951, a bill which has great support among the people, industry, and labor. This legislation has been discussed for many years and there are many arguments in its favor.

The observance of the three national holidays, Washington's Birthday, Memorial Day, and Veterans Day on Mondays will in no way detract from the meaning of the days. We will still revere the dates, but we will have uniform days for commemoration. Under present practice, when a holiday falls on a Sunday, it is celebrated on Monday, and when the holiday falls on a Saturday, it is celebrated on Friday. This bill will simply give us a uniform day for the commemoration of the event.

A preponderant number of the States now commemorate the birth of Christopher Columbus, and the Federal Government owes no less a debt of recognition to this great explorer and to those who have followed him to the shores of this hemisphere. The commemoration of his birthday on the second Monday in October will lead the way for the States to bring their commemoration into line with the Federal date of recognition and give uniformity to it.

Mr. Chairman, I believe this is a good bill and urge my colleagues to give it their support.

Mr. DONOHUE. Mr. Chairman, I most earnestly hope that the House will speedily approve this bill before us (H.R. 15951) to provide for uniform annual observance of certain legal public holidays on Monday.

I submit that the testimony presented to our Judiciary Committee, and revealed here this afternoon, in favor of this measure, is substantial and impressive, coming as it does from every segment of our society that would in any way be affected by the adoption of this bill.

The objective of this measure is to

provide that the national holidays of Washington's Birthday, Memorial Day, and Veterans Day be celebrated on Mondays and to add the observance of Columbus Day as a national holiday also to be celebrated on Monday.

The purpose for establishing these holidays to occur on Mondays is to encourage the realization of substantial benefits to both the spiritual and economic life of this nation. It would afford increased opportunities for families to be together, especially those families of which the various members are separated by great distances. It would enable our citizens to enjoy a wider range of recreational facilities since they would be afforded more time for travel.

In addition, by affording more time to our citizens for travel, the Monday holiday program would increase the opportunities for pilgrimages to the historical sites connected with our holidays, thereby increasing participation in the commemoration of historical events. At the same time, the program would also afford greater opportunity for leisure at home so that our citizens would be able to enjoy fuller participation in hobbies as well as educational and cultural activities. Finally, the Monday holiday program would stimulate greater industrial and commercial production by reducing employee absenteeism and enabling workweeks to be free from interruptions in the form of midweek holidays.

Mr. Chairman, in response to some who may have reservations about Columbus Day, may I very strongly urge the retention of the inclusion of it as a national holiday and may I emphasize that it is a most appropriate means of recognizing the United States as a "nation of immigrants" as our late and beloved President Kennedy described it; may I remind you further that some 34 of our 50 States already observe Columbus Day as a holiday and there are a great number of legislative proposals, including my own, now pending in the Congress to establish Columbus Day as a national holiday.

By commemorating the voyage of Columbus to the new world, we would be honoring the courage and determination which enabled generation after generation of immigrants from every nation to broaden their horizons in search of new hopes and a renewed affirmation of freedom.

Mr. Chairman, by all standards and by overwhelming testimony, it appears clear that this legislation is unquestionably in the national interest and I again urge my colleagues to register resounding approval of it without extended delay.

Mr. HELSTOSKI. Mr. Chairman, I rise in support of the legislation which will establish a uniform annual observance of certain legal holidays, and the establishment of Columbus Day as one of these legal holidays.

The observance of certain legal holidays on a Monday will provide the American citizen with a greater opportunity to enjoy a 3-day span of leisure time—with their hobbies or enjoying the reunions with family and friends, visiting areas of historical significance,

or taking part in civic observances of such a holiday.

Moreover, a uniform observance will enable many businesses and industry to maintain a schedule of hours and production schedules, which are frequently disrupted because of the varying dates upon which these holidays occur.

I am very pleased that Columbus Day has been included in this legislation as a national holiday and the observance of this holiday will occur on the second Monday in October.

Mr. Chairman, I am one of many Members of Congress who have introduced legislation to establish such a national holiday, honoring Christopher Columbus who discovered the New World and inaugurated a new era in human affairs.

This new holiday, already celebrated in 38 States, is a tribute to the achievements of a great navigator and a gesture of praise and recognition to all Italian-Americans.

With the passage of this legislation, we demonstrate, in a concrete and effective way, the appreciation and gratitude of this country for the great contributions to our national welfare and development made by Italian-Americans, in peace and war since the discovery of our country in 1492.

The historical record of Italian-Americans in the furtherance of our American progress in a free government, in musical fields, in the sciences, in the many professions, and at every level of our national life is unsurpassed by any segment of our American population.

To achieve this objective has been a long and determined battle. As early as 1906 the Congress made its first efforts to establish the holiday in areas under Federal jurisdiction. A joint resolution was passed in 1934 which directed the President to proclaim October 12 of each year as Columbus Day—and today we see the culmination of that effort when we pass the pending legislation to establish a uniform annual observance of certain legal holidays, which includes Columbus Day.

After 475 years, we finally give recognition and honor to a man who laid a foundation for what has become a great and free nation. We are repaying our gratitude to him by making October 12 a national holiday.

Mr. ROGERS of Colorado. Mr. Chairman, I urge my colleagues to approve this bill, and I yield back the balance of my time.

Mr. McCLOREY. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

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

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 6103(a) of title 5, United States Code, is amended to read as follows:

"§ 6103. Holidays

"(a) The following are legal public holidays:

Mr. ROGERS of Colorado. Mr. Chairman, I ask unanimous consent that fur-

ther reading of the bill be dispensed with, and that it be printed in the RECORD and open to amendment at any point.

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

Mr. GROSS. Mr. Chairman, reserving the right to object, I believe that at this hour of the day this is so important that it had better be read in full.

Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

The Clerk will read.

The Clerk read as follows:

"New Year's Day, January 1.

"Washington's Birthday, the third Monday in February.

"Memorial Day, the last Monday in May.

"Independence Day, July 4.

"Labor Day, the first Monday in September.

"Columbus Day, the second Monday in October.

"Veterans Day, the fourth Monday in October.

"Thanksgiving Day, the fourth Thursday in November.

"Christmas Day, December 25."

(b) Any reference in a law of the United States (in effect on the effective date of the amendment made by subsection (a) of this section) to the observance of a legal public holiday on a day other than the day prescribed for the observance of such holiday by section 6103(a) of title 5, United States Code, as amended by subsection (a), shall on and after such effective date be considered a reference to the day for the observance of such holiday prescribed in such amended section 6103(a).

AMENDMENT OFFERED BY MR. POFF

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

The Clerk read as follows:

Amendment offered by Mr. POFF: On page 1, line 8, after the comma, strike out the remainder of line 8 and line 9 and insert "February 22".

The CHAIRMAN. The gentleman from Virginia [Mr. POFF] is recognized.

Mr. POFF. Mr. Chairman, the temper of this House can be a terrible tyrant. I want to say that I admire the gentlemen who took the well of this House and voiced a dissent. I admire those who will not be intimidated by the temper of this House.

Mr. Chairman, the amendment I have offered, I think is self-explanatory. It would simply reaffirm what has been a historical reality now for the life of this Nation, so that we will continue to observe Washington's birthday on the anniversary of the birth of George Washington.

Mr. Chairman, the distinguished gentleman from Michigan has already eloquently addressed this subject and I will try not unnecessarily to repeat what he said, but in order that the matter might be in proper focus, let me explain that under this bill the birthday of the Father of our Country hereafter will be observed on the third Monday of February.

Now what that really means is never again will the birthday of the Father of our Country be observed on February 22 because the third Monday will always fall between the 15th of February and the 21st of February.

As the gentleman from Michigan pointed out, when the 12th day of February which we celebrate as Lincoln's

birthday falls on a Friday, we will under this legislation hereafter observe a 4-day holiday weekend.

Parenthetically, at that point let me inquire how anyone can be so sure that the passage of this legislation will solve the problem of absenteeism? I suggest that it is reasonable, Mr. Chairman, that the same employees who would seize the occasion of a national holiday to absent themselves from their work under the present system would be even more tempted to do so under the system that this legislation proposes.

As they approach a 3-day weekend, would not the temptation be greater to absent themselves on a Friday or on a Tuesday and make a 4-day weekend of it?

The day of February 22, I suggest, does hold a very special significance for the people in this country. Perhaps it is not so for those who are not sentimental about such things. It is said that it is not sacred; that it is not even certain; it is true that the calendar on the wall when George Washington was born in Westmoreland County, Va., read February 11. But 20 years later the Gregorian calendar was substituted for the Julian calendar and that advanced the nominal date 11 days, making Washington's birthday not February 11, but February 22.

After his 21st birthday, George Washington celebrated February 22 as his birthday, and notwithstanding the unfortunate mistake of LeCompte de Rochambeau we have celebrated the 22nd of February as Washington's Birthday ever since.

Mr. Chairman, for the sake of some small fidelity to tradition, do you not think that the birthdate of the Father of our Country ought to be celebrated on the anniversary of his birth—that is, February 22?

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

The CHAIRMAN. The gentleman from Illinois is recognized for 5 minutes.

Mr. McCLODY. Mr. Chairman, I do so not out of any disrespect for George Washington, and I do not think any of us are undertaking in this legislation to change George Washington's birthday. We could not possibly do that.

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

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

Mr. STRATTON. The gentleman from Virginia has made the point that although George Washington was born on the 11th day of February, now his birthday is celebrated on the 22d because of a change from the Julian to the Gregorian Calendar. What the gentleman from Virginia did not point out—and I have this from the highest authority—is that to make a completely proper switch from the Julian to the Gregorian Calendar, you not only have to add 11 days, but every 100 years you have to add one more day; so that if we really wanted to go back to February 11th when George Washington was born, we would have to celebrate that day in 1968 on February 24 rather than the 22d. I think this shows the weakness of this kind of argument.

Incidentally, if the gentleman from Illinois will yield to me further, the gentle-

man from Virginia was also pointing out that we would have all kinds of absenteeism if we put this system into effect. I would like to point out that George Washington's birthday was celebrated on Thursday this year, just as Memorial Day will be celebrated on Thursday in a few days. That means that for those of us in privileged positions, such as Members of this House, we can observe a holiday on Thursday and then we do not have to worry about coming back to work on Friday. We can take a real long weekend. But the little fellow who is working for wages has got to go back to work again on Friday. He cannot take his family away for a vacation. That is the kind of discrimination that this bill would eliminate. It would be the working girls' bill, and the little fellows' bill. And this Congress can become the working girl's friend by passing this bill.

Mr. McCLODY. Mr. Chairman, I do feel that George Washington's birthday is important. But I want to point out that celebrating George Washington's birthday on Monday will provide many more opportunities for people to visit historic sites associated with George Washington. People in greater numbers would visit Yorktown, where the surrender of Cornwallis took place. There would be many who would take the opportunity to visit Williamsburg, where the House of Burgesses in which Washington served is located. They could go to Philadelphia, where Washington served as President of the Constitutional Convention. Of course, many more opportunities would exist to visit Mount Vernon, Washington's historic home. It seems to me that this bill would afford many enriching and cultural advantages which we could have through the proposed Monday holiday legislation.

We are not changing George Washington's birthday. We would make George Washington's birthday much more meaningful to many more people by having it observed on a Monday.

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

Mr. McCLODY. I yield to the gentleman from Virginia.

Mr. POFF. I would like to have a brief opportunity to respond to the gentleman from New York, who made a valid mathematical point. It is true that in the course of a century another day must be taken into account. Yet between the time of Washington's birthday in 1732 only 20 years expired before the change to the Gregorian Calendar in 1752. Except to the extent the entire calendar is now 2 days slow, I suggest that February 22 is indeed the anniversary of the birth of George Washington.

Mr. SCOTT. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN. The gentleman from Virginia is recognized for 5 minutes.

Mr. SCOTT. Mr. Chairman, I am quite sure that my constituents would not forgive me if I failed to take the floor in support of the amendment of my colleague from Virginia [Mr. POFF]. George Washington was born in Westmoreland County, which is in my congressional district; he grew up in Fredericksburg, which is also in my district; he lived

his adult life and is buried at Mount Vernon, also within my congressional district.

I submit that if we pass this bill without the amendment that Mr. POFF has offered, we are going to run into just as much of a hornet's nest as the one during President Roosevelt's regime when he changed the date of the observance of Thanksgiving Day. I do not think the people of this country are concerned about what calendar was in effect during the lifetime of George Washington because there is nobody alive today that lived when the calendar was other than it is today.

People are accustomed to commemorating the birth of George Washington on the 22d of February. I think it should remain the 22d of February for that reason alone. This is the day when we happen to have George Washington's Farewell Address read in this Chamber. He is known not only as a Virginian but as the Father of his Country. I am fully confident and hope that the House will adopt the amendment of the gentleman from Virginia [Mr. POFF].

Mr. ROGERS of Colorado. Mr. Chairman, I rise in opposition to this amendment.

I point out that the gentleman from Virginia [Mr. POFF] stated that we had no assurance that absenteeism would be any greater or any less if and when we adopt the four uniform Monday holidays.

I am usually not accused of reading statements of the National Association of Manufacturers, but, nevertheless, any Members who are interested can turn to page 123 of the hearings which were conducted on August 16 and 17, 1967. I will read one paragraph:

NAM endorses 3-day holiday week ends because a midweek holiday necessitates an additional production shutdown and start-up. Reduction of work and interruption represents an important step toward improved productivity in industry. Further, Monday holiday observance would lead to increased employee income and improve production efficiency by reducing employee absenteeism on days preceding and following midweek holidays.

Mr. Chairman, I urge that we reject the amendment offered by the gentleman from Virginia.

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

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

Mr. KYL. Mr. Chairman, there are 434 Members in the House presently who normally anticipate that their Friday will be free, added to a Saturday and Sunday weekend. I think in a moment, when we have a vote on this proposition, the gentlemen will see that even though there is normally a Friday and Saturday provided for a weekend along with Sunday, some individuals perhaps have had a few extra hours by leaving on Thursday. I think this in itself proves the argument which the gentleman just made.

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

Mr. Chairman, I shall not take the full 5 minutes. I think there are probably quite a few Members of this House who are concerned about this one particular holiday. I know that with the gentle-

man's amendment I shall support this bill, and without it, I shall not.

But in our manipulation of the dates, I think it quite interesting that those who call themselves members of the Christian faith, and all of us who recognize the so-called Christian calendar have not chosen to dabble with the birthday of Christ on Christmas Day. We do not even know that this was the right month, and we certainly know that the birthday of the founder of the Christian faith was not 1,968 years ago, but was 4 years before then. Yet, this date is accepted.

I think possibly next to the date of December 25, the accepted birthday of the founder of our country is to this Nation almost as sacred.

The idea of interjecting commercial matters into this, the idea of trying to cloud the issue by trying to cloud the calendar a little is foreign to what I believe the real birthday of the founder of our country should be.

If we do this, 10 years from now our schoolchildren will not know what February 22 means. They will not know or care when George Washington was born. They will know that in the middle of February they will have a 3-day week-end for some reason. This will come.

I strongly urge the amendment of the gentleman from Virginia be accepted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia [Mr. POFF].

The question was taken; and on a division (demanded by Mr. POFF) there were—ayes 50, noes 49.

Mr. McCLODY. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. POFF and Mr. ROGERS of Colorado.

The Committee again divided, and the tellers reported that there were—ayes 59, noes 67.

So the amendment was rejected.

PREFERENTIAL MOTION OFFERED BY
MR. WAGGONNER

Mr. WAGGONNER. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. WAGGONNER moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken out.

The CHAIRMAN. The gentleman from Louisiana is recognized for 5 minutes.

Mr. WAGGONNER. Mr. Chairman, I take this time to ask of the gentleman from Colorado [Mr. ROGERS] who is the floor manager for this legislation, a question or two.

Is it true that when the Committee on the Judiciary considered this legislation that the committee voted by a vote of 15 to 2 to pass this legislation to the floor for action?

Mr. ROGERS of Colorado. Is it true that the committee did?

Mr. WAGGONNER. Yes. Was the vote 15 to 2 in the committee to approve this legislation?

Mr. ROGERS of Colorado. No. As I remember it, it was about 25 or 30 to 4 or 5.

Mr. WAGGONNER. What does the

gentleman mean, as he remembers it? Is there no record?

Mr. ROGERS of Colorado. I do not have the committee records before me.

Mr. WAGGONNER. Was there a roll-call vote?

Mr. ROGERS of Colorado. Yes, I think there was. However, I do not know whether it was a voice vote or whether it was tallied.

Mr. WAGGONNER. The gentleman says in one breath it was a rollcall vote and then in another he says he does not know whether it was a voice vote.

Mr. ROGERS of Colorado. Let me say to the gentleman that when this bill was submitted to the House Committee on the Judiciary for consideration the appropriate procedures were followed necessary for its report from the committee. As to the exact number, and who voted for which and what, I do not know. I was present at the time it was reported, and it met all the requirements. The report was filed. It went to the Committee on Rules, and it is now before the House. So your question, whatever it may be, is immaterial to the issue now before us.

Mr. WAGGONNER. The gentleman is right in that it is a little bit late to ask the question, but I am told—

Mr. ROGERS of Colorado. Why did you ask it, then?

Mr. WAGGONNER. I have the time now.

Mr. ROGERS of Colorado. I know, but why do you ask the question?

The CHAIRMAN. Does the gentleman from Louisiana yield?

Mr. WAGGONNER. I do not yield further at this point, Mr. Chairman.

The CHAIRMAN. The gentleman from Louisiana is recognized.

Mr. ROGERS of Colorado. A point of order, Mr. Chairman.

Mr. WAGGONNER. I do not yield further at this time.

Mr. ROGERS of Colorado. A point of order. The gentleman said he wanted to ask me questions.

The CHAIRMAN. But the gentleman from Louisiana has refused to yield. The gentleman from Louisiana refuses to yield further.

Mr. WAGGONNER. I know it is late to raise this question, but a member of the Committee on the Judiciary has, since this debate began, and since the beginning of the 5-minute rule, told me that he was there and that there was not a quorum present and that the vote was 15 to 2 to pass this legislation to the floor. Now, with a cloud of doubt like that hanging over this legislation, when we think back and consider that we claim great support for it because 15 Governors out of 50 support it, I think this House needs to know beyond a doubt whether a quorum was present and whether or not this vote was 15 to 2.

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

Mr. WAGGONNER. I would be glad to yield if I can get an answer from the gentleman.

Mr. ROGERS of Colorado. I gave you one answer heretofore and I shall repeat it.

Mr. WAGGONNER. The gentleman did not have a rollcall vote. He said there

was a rollcall vote and then in the next breath he said he did not know whether it was by voice vote or not.

Mr. ROGERS of Colorado. I did tell the gentleman that a quorum was present, that it was regularly passed out of the committee and the report filed in the House without any objection having been made to it. We then went to the Committee on Rules and got a rule and no objection was raised. Hence, the gentleman's question is irrelevant.

Mr. WAGGONER. No; the question is not irrelevant; but a point of order would be out of order and I know that the gentleman knows and understands the rules of the House better than that.

Mr. ROGERS of Colorado. The Judiciary Committee reported it properly out of the committee. It now comes to the House under a rule and it is now before the House for consideration.

Mr. WAGGONER. Does the gentleman contend that my question is irrelevant and out of order?

Mr. ROGERS of Colorado. Yes; I do.

Mr. WAGGONER. Upon what basis?

Mr. ROGERS of Colorado. Upon the basis that if it were not proper when it was reported by the Committee on the Judiciary since no objection was filed within the proper period of time anything connected with the procedures that may have occurred heretofore is irrelevant. We are now considering the bill by a vote of the House of Representatives and any objection which the gentleman may have to it comes too late.

Mr. McCLODY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the preferential motion. It is a motion to strike the enacting clause which, of course, if the Members support it, would effectively defeat the bill. I think this bill deserves an opportunity to be voted upon in the manner in which it is presented to the House of Representatives.

Mr. Chairman, it is true that we have only affected holidays that are already holidays for Federal employees and employees in the District of Columbia. And, I want to emphasize again the fact that this legislation only affect those employees. It only affects employees in the civil service, it only affects employees in the District of Columbia. We do not undertake to affect non-Federal employees in Louisiana or any other State.

It is true that in some cases the States have followed the pattern of the Federal Government, but they do not always do that. But generally they do, as in the case of George Washington's Birthday.

Mr. Chairman, in regard to the question as to whether a quorum was present, I can assure the gentleman from Louisiana that it was a regularly called meeting; that there was a quorum present, and that it was overwhelmingly supported and reported out.

And, Mr. Chairman, I ask that this motion be defeated and that this bill be voted upon by the full membership of this House of Representatives. I hope it will be voted upon in the form in which it has been presented to the House.

Mr. WAGGONER. Mr. Chairman, the gentleman from Illinois indicated you are changing no dates in Louisiana.

When is Columbus Day commemorated now in Louisiana?

Mr. McCLODY. This legislation does not affect Louisiana with regard to any day which is commemorated at the present time. It only affects holidays for Federal civil service employees and employees of the District of Columbia. It does not establish any State holidays. The States designate their own holidays.

I have been trying to emphasize that this bill sets a pattern which may be followed in the States, although it does not establish a fixed pattern. There is a groundswell rising for Monday holiday legislation throughout the country. That in my opinion is why it is important that we provide direction and guidelines to establish a pattern for the States to follow for the benefit of the total population of the country.

Mr. WAGGONER. The gentleman from Illinois talked about establishing patterns in the various States as, for instance, my State of Louisiana. However, if the State of Louisiana does not wish to celebrate Columbus Day on the day that this legislation calls for, does this make it mandatory or does the State have the option to follow what they have been doing in the past?

Mr. McCLODY. Yes, they do.

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

The CHAIRMAN. The question is on the preferential motion offered by the gentleman from Louisiana.

The question was taken; and on a division (demanded by Mr. WAGGONER) there were—ayes 31, noes 76.

So the preferential motion was rejected.

AMENDMENT OFFERED BY Mr. ROUDEBUSH

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

The Clerk read as follows:

Amendment offered by Mr. ROUDEBUSH: On page 2, line 4, strike out "Veterans Day, the fourth Monday in October," and insert "Veterans Day, November 11".

Mr. ROUDEBUSH. Mr. Chairman, I repeat that I know the hour is late, and I do not intend to take the 5 minutes.

I believe the purpose of this amendment is redundantly clear. It merely strikes the language of the bill and inserts "November 11," and allows Veterans Day to be reinstated to the traditional holiday on which it has been celebrated for many, many years.

Mr. Chairman, I have been relatively active in veterans' organizations over the past few years, as the Members of this body know, and I will tell the Members—and I believe it is a matter of record—that the American Legion, that great veterans' organization, absolutely and unalterably opposes the change in Veterans Day. I am aware that the legislative Committee of the Veterans of Foreign Wars when this matter was discussed, and likewise that committee was opposed to changing Veterans Day.

I would like to point out another thought, if I might, that so very many of our Federal employees are veterans, and to change the date and thereby affect the lives and traditions of some 20 million men and women who have served

this Nation from celebrating the day which they have commemorated for many years in honor of the veterans of this Nation I believe is very, very wrong.

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

Mr. ROUDEBUSH. I yield to the gentleman from North Carolina.

Mr. WHITENER. I thank the gentleman for yielding. I commend the distinguished gentleman from Indiana for the position that he has taken, which is consistent with that of the executive committee of the American Legion. This is true not only of the national organizations, but the gentleman from Illinois [Mr. McCLODY] will be interested to know that his own State Legion executive committee took that position also.

Mr. Chairman, all of us know of the very able work and the results of the work of the gentleman from Indiana [Mr. ROUDEBUSH] in veterans' affairs. He has served as national commander of the Veterans of Foreign Wars, in which so many of us are members. I commend him. I hope that the House will follow his lead in preserving Veterans Day on November 11.

Mr. ROUDEBUSH. I thank the gentleman from North Carolina for his comments.

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

Mr. ROUDEBUSH. I yield to the gentleman.

Mr. GROSS. Mr. Chairman, I want to join in commending the gentleman from Indiana for offering this amendment.

As the gentleman has said, Veterans' Day has been observed for years but November 11 has a special meaning for the veterans of World War I.

Again, I commend the gentleman for his amendment.

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

Mr. ROUDEBUSH. I am happy to yield to the gentleman.

Mr. HALEY. I, too, want to commend the gentleman for offering this amendment to this bill.

I think those who have served in World War I, of which I am one, think of Veterans' Day or Armistice Day as the 11th hour of the 11th day of the 11th month. I think if this were submitted to the veterans of this Nation, 20 million of them would say—Do not change it.

Mr. ROUDEBUSH. I think the gentleman is so right and I thank him for his comments.

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

Mr. ROUDEBUSH. I yield to the gentleman.

Mr. RANDALL. The observation was made a moment ago by some other Member that the gentleman from Indiana [Mr. ROUDEBUSH] happens to be on the Committee on Veterans' Affairs. That may be an error but we should not neglect to mention that our colleague from Indiana is a past national commander in chief of the Veterans of Foreign Wars.

I do not know about the rest of you, but over the Easter recess I received several protests from members of the VFW and other veterans saying "Please do not

let Congress tamper with the date we observe Veterans' Day."

Mr. Chairman, I do not know who is in favor of this bill but I know many groups that are against it. This bill should be defeated.

Mr. ROUDEBUSH. I thank the gentleman.

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

Mr. Chairman, I also want to pay tribute to the gentleman from Indiana. He is a distinguished veteran and also a distinguished leader of the Veterans of Foreign Wars and a past national commander.

I also want to point out that all of the sponsors of the uniform Monday holiday legislation themselves are veterans of one war or another.

I also would like to point out that on Veterans' Day we are not just honoring the veterans of World War I. We are honoring all veterans of all wars including the veterans of World War II and of the Korean war. The Korean war happened to have ended in July; and World War II, in August.

I would like also to point out now, if November 11, Armistice Day, happens to fall on a Sunday, then we celebrate it on Monday, November 12.

I do not think we do any disrespect if that happens. We are not changing Armistice Day; we cannot do that. Armistice Day at the time when World War I ended will always be November 11. We cannot change that. Under this bill we are going to honor veterans on Monday, the fourth Monday in October.

Let me just add this: I have talked to some servicemen; many are still in the service today. Men who can enjoy the opportunity of a 3-day veterans' holiday on Monday appreciate this. Their families appreciate this. If we want to do something for the men in the service, we will provide this uniform Monday holiday legislation for their benefit and the benefit of their families. That is the logical thing and it seems to me to be much more important as a service by our country to the men who are in the service of our country.

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

Mr. McCLODY. I yield to the gentleman.

Mr. ROUDEBUSH. I would just like to observe if I might that the gentleman refers to the observance of holidays and so forth and how the families would enjoy this extra day of no work.

To me Veterans' Day means honoring those who have borne the brunt of battle for this Nation. That has been observed on November 11 and I hope this amendment is adopted.

Mr. McCLODY. Let me say this, when this day or the Fourth of July or any other day is observed on a Monday, the opportunities for appropriate observances are much greater because of the preparations that can be made on the Saturday and Sunday preceding the day of observance. Hence, the observance is much more spectacular, much more appropriate and much more impressive

than it could be if it happened to fall on some day in the middle of the week.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. ROUDEBUSH].

The question was taken; and on a division (demanded by Mr. ROUDEBUSH) there were—ayes 53, noes 76.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. GROSS

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

The Clerk read as follows:

Amendment offered by Mr. GROSS: On page 2, after line 7, insert the following:

"Every Friday when the Congress is in session shall be observed as a holiday by the House of Representatives."

Mr. ROGERS of Colorado. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. ROGERS of Colorado. The amendment is not germane to the legislation we are now considering.

The CHAIRMAN. Does the gentleman from Iowa desire to be heard on the point of order?

Mr. GROSS. No; except I would like to know why.

The CHAIRMAN. The Chair is ready to rule on the point of order of the gentleman from Colorado. The bill before the Committee deals with national holidays, and the amendment of the gentleman from Iowa deals with holidays of the House of Representatives of the Congress of the United States, and is, therefore, in no way, in the opinion of the Chair, germane to the issue before us, and the point of order is sustained.

Mr. GROSS. Mr. Chairman, I offered the amendment simply to make official the unofficial holidays in which the House indulges itself almost every Friday when Congress is in session.

It is designed to lend respectability to the "T and T Club"—the out-on-Thursdays, back-on-Tuesday operation. It is also designed to make it uniform—a word we have heard so much in connection with this bill.

Mr. Chairman, I have no intention of voting for this bill, and if I thought the amendment had the slightest chance of being adopted I would not have offered it.

AMENDMENT OFFERED BY MR. WHITENER

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

The Clerk read as follows:

Amendment offered by Mr. WHITENER: On page 1, line 10, strike out "Memorial Day, the last Monday in May."

The CHAIRMAN. The gentleman from North Carolina is recognized for 5 minutes.

Mr. WHITENER. Mr. Chairman, this amendment is self-explanatory. It would eliminate as a Monday holiday Memorial Day, and would say, in effect, that hereafter Memorial Day will be observed on May 30, just as it has been since May 30, 1868. There is nothing else to the amendment. I merely point out that Memorial Day was established by General Logan, a general of the Northern Army, as a result of the example set

by the fine ladies of Ohio, who had for some 2 years adopted a practice on May 30 of taking flowers to the graves of those who had fallen in battle on both sides in the War Between the States.

Mr. Chairman, my good friend the gentleman from New York [Mr. STRATTON], and my equally good friend the gentleman from Illinois [Mr. McCLODY], say we should take Memorial Day and make it a day of frivolity rather than a day of mourning. They say this, along with those witnesses who testified and who filed statements, about this day of mourning, which resulted from the American spirit of good women in Ohio, who had been on the side of the war on which my forebears did not happen to be. They felt men who had fallen were entitled to have tribute paid to them once a year.

My friends who propose that we do away with Memorial Day on May 30 say that, because the travel people said it would increase travel, we should do away with the significance of this day.

They further say that, because it would meet the convenience of certain segments of our American industry, we should do away with this meaningful observance on May 30. They say we should not be concerned about tradition. They say that we should not be concerned about these emotional feelings which have made this country so great.

But let us not peg everything to the dollar. Let us not peg everything to pleasure. Let us not put more people on the highways on long weekends to destroy themselves and their neighbors.

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

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

Mr. STRATTON. Mr. Chairman, the gentleman mentioned my name.

Mr. WHITENER. I yielded to the gentleman.

Mr. STRATTON. Mr. Chairman, I appreciate the gentleman yielding.

The gentleman said Memorial Day was first celebrated on the 30th of May I would like to point out to the gentleman a fact.

Mr. WHITENER. It was called Decoration Day.

Mr. STRATTON. Mr. Chairman, I would like to point out to the gentleman that last year, in the gentleman's own committee, that committee reported a bill favorably and the bill was enacted into law, legislation which I introduced declaring that Waterloo, N.Y., in my district, was the birthplace of Memorial Day. I would like to advise the gentleman that the first celebrated date of Memorial Day was on May 5 in Waterloo, N.Y., in 1866, and the gentleman supported that legislation.

Mr. WHITENER. Happy days are here again.

Mr. GROSS. There ought to be some end to this tinkering and gimmickry. This bill is designed to provide that Memorial Day be made a shoppers' day, a bargain basement day. That is what is being attempted here.

Mr. WHITENER. And a "See America

Day" is the main burden of the testimony.

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

Let me say that until Memorial Day was designated by General Logan on May 30, Memorial Day was celebrated on May 25, on April 26, and on June 9. It is now celebrated in most of the Southern States in June. It is one of the national legal holidays.

Mr. Chairman, I urge the defeat of this amendment.

Mr. ROGERS of Colorado. Mr. Chairman, I want to point out that if the amendment is adopted, we will have no Memorial Day at all.

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

Mr. Chairman, we have heard stated repeatedly this evening in the course of this debate that there is overwhelming support for this legislation throughout the country. We heard the same statement made when we held hearings on this bill before our Rules Committee.

In questioning the witnesses, to prove that statement, we had only a very, very general platitudinous reply.

Let me give some information from a Harris poll which was published in the Washington Post on January 1 of this year.

64% Do Not Want Monday holidays.

I quote from the article:

Although Americans this holiday season are enjoying long weekends because both Christmas and New Year fell on a Monday, a law requiring most national holidays to be celebrated on Mondays would meet with public disfavor.

The argument made in behalf of the proposal is that people would consistently be able to enjoy longer and more enjoyable holidays if the Monday rule were enacted.

However, the Harris Survey results clearly show that observance of Memorial Day, Veteran's Day, Washington's Birthday, Independence Day and Thanksgiving—as well as Christmas and New Year—all have special meaning in their own right and are not looked upon as merely "another day off."

Let me give the results:

Opposed, 64 percent; in favor, 31 percent; 5 percent not sure.

In the East: 55 percent opposed, 41 percent in favor, and 4 percent not sure.

In the Midwest: 63 percent opposed, 30 percent in favor, and 7 percent not sure.

In the South: 77 percent opposed, 18 percent in favor, and 5 percent not sure.

In the West: 64 percent opposed, 32 percent in favor, and 4 percent not sure.

Among the men those opposed were 56 percent, 38 percent were in favor, and 6 percent not sure.

And mark this, for the women. Do not overlook the power of the women in this country. Among the women surveyed, 72 percent opposed this legislation, with only 23 percent in favor, and 5 percent not sure.

Now let me give some other figures specifically on the days included in this legislation before us.

As to changing Memorial Day to a Monday holiday, 59 percent were opposed, 38 percent in favor, and 3 percent were not sure.

As to Washington's Birthday, 60 percent were opposed, 35 percent were in favor, and 5 percent not sure.

As to Independence Day, 64 percent were opposed, 33 percent were in favor, and 3 percent not sure.

Mr. Chairman, I am currently receiving replies to my annual questionnaire. I asked a question with regard to these Monday holidays. The information has not been completely compiled as yet, but the results we have tabulated up to this afternoon are running over 3 to 1 in opposition to a change to Monday holidays.

I submit, Mr. Chairman, that the people of the United States are opposed to this legislation, and I hope it will be defeated here this evening.

Mr. BURKE of Massachusetts. Mr. Chairman, I rise in support of the amendment and move to strike the requisite number of words.

I would hope that the Members would use a little bit of judgment on the matter of changing the date of Memorial Day.

The previous speaker pointed out the strong opposition in his district to touching the date customarily and traditionally held to be May 30.

During the recent recess I had the experience of speaking to many people in my district, and they were quite upset about these proposed changes, and particularly about Memorial Day.

I realize there are those in this country, who are interested in the almighty dollar. But I believe we should put ahead of this type of thinking a reflection of the spirit of the day. Let us forget about the money changers. Let us think of this day as the day it really is, a sacred day when those people of the South and of the North joined hands together to decorate the graves of fallen heroes on both sides.

If you tinker with Memorial Day, you tinker with one of the most sacred days in our Nation's history.

Mr. Chairman, I say to you I am supporting the bill to make Columbus Day a national holiday, but I do not think you should clutter up that bill with a provision that will change Memorial Day from what has been our custom and tradition down through the years. I can tell you in my district all of the veterans organizations, have contacted me and asked me to oppose this bill. Every responsible person that knows about this proposed change does.

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

Mr. BURKE of Massachusetts. I am glad to yield to the gentleman from New York.

Mr. STRATTON. The gentleman says he feels strongly about Memorial Day. Is he aware of the fact that if the pending amendment is carried, Memorial Day will be eliminated? So if the gentleman from Massachusetts wants to retain Memorial Day as a national holiday, the pending amendment should be defeated.

Mr. BURKE of Massachusetts. That is not my understanding. It is my understanding of the gentleman's amendment that May 30 will continue to be a national holiday. However, if the gentleman from New York is correct then the amendment should be changed.

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

Mr. BURKE of Massachusetts. I yield to the gentleman from North Carolina.

Mr. WHITENER. Of course, the gentleman from Massachusetts is correct. The present law says "the following are legal public holidays," and among those it says "May 30, Memorial Day." My amendment is to strike from the bill now before us the words "Memorial Day, the last Monday in May." If we do that, we will leave the present law which says, "The following are legal public holidays." They do not indicate striking the "The following are legal public holidays," and May 30 Memorial Day would still be in.

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

Mr. BURKE of Massachusetts. I yield to the gentleman from New York.

Mr. STRATTON. If the gentleman from North Carolina reads the legislation carefully, he will see that this legislation strikes out and replaces that part of the United States Code which deals with national holidays. Therefore, if the gentleman's amendment carries, we would have no Memorial Day in the United States included.

Mr. WHITENER. If the gentleman will yield to me further, my reply to that is that if the gentleman from New York is correct in his statement, that then consideration of this bill is subject to a point of order, because the Ramseyer Rule has not been complied with. The report shows that those sections of existing law that are to be stricken are those which come after the words "Subsection (a) The following are legal public holidays." If the gentleman is saying that the Ramseyer Rule has not been complied with, I would like to hear from the gentleman from Colorado so that we might make a point of order.

Mr. ROGERS of Colorado. First of all, may I say that the objection, if any, to be made, which has not been made, would come too late. Secondly, the gentleman from North Carolina and any other Member would be interested to know that so far as the Ramseyer Rule is concerned, on pages 4 and 5 we outline the amendment to section 6103, "Holidays," wherein we show those that are going to be destroyed or taken away from the present set-up and substitute in place thereof "Memorial Day, the last Monday in May."

Now, if you want to strike out "the last Monday in May," the amendment that has been offered by the gentleman from North Carolina, then you have taken it out of this bill completely and out of the law, because we have set forth the same in the Ramseyer Rule, and hence the amendment should be defeated.

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

Mr. WAGGONER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I yield to the gentleman from Massachusetts [Mr. BURKE].

Mr. BURKE of Massachusetts. I thank the gentleman for yielding. It is quite

apparent that there is a great deal of confusion here as far as the committee is concerned as to just what this amendment does.

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

Mr. BURKE of Massachusetts. I will be happy to yield.

Mr. WAGGONER. Mr. Chairman, a point of order. I have the time.

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

Mr. WAGGONER. I have yielded to the gentleman from Massachusetts, and I choose to continue to yield to him at this point.

The CHAIRMAN. The gentleman from Louisiana is recognized for 5 minutes, and he yields to the gentleman from Massachusetts.

Mr. BURKE of Massachusetts. This shows how ridiculous it is and how far we can go when you come in with legislation of this type tinkering with Memorial Day.

You know, Mr. Chairman, some Members take this subject of Memorial Day as a laughing matter, some laughed that way at the time we had the rat bill under consideration in this House of Representatives. However, a few weeks later they stopped laughing.

I say here that if we are going to preserve those things we hold sacred in this Nation and what it stands for, we will not tinker with Memorial Day.

However, I say to the members of the Committee that this would be a serious mistake on the part of the Congress.

Mr. Chairman, I hope we at least have an opportunity to adopt this amendment and then have a rollcall vote thereon. That is what I want. I want to see you stand up and be counted.

Mr. WAGGONER. Mr. Chairman, the gentleman from Colorado [Mr. ROGERS] just a few moments ago while involved in a colloquy with the gentleman from New York and the gentleman from North Carolina, referred to pages 4 and 5 of the report and said that we would find a listing of the holidays that would be "destroyed." Now, this is a word upon which I would like for the gentleman to enlarge, having said that it would "destroy" certain holidays, or does the gentleman want to attempt to clarify his answer?

Mr. ROGERS of Colorado. Mr. Chairman, would the gentleman yield to me for the purpose of clarification?

Mr. WAGGONER. Yes.

Mr. ROGERS of Colorado. May I read from page 2 of the bill:

* * * section 6103(a) of title 5, United States Code, as amended by subsection (a), shall on and after such effective date be considered a reference to the day for the observance of such holiday prescribed in such amended section 6103(a).

Mr. WAGGONER. But does the gentleman from Colorado stand by his position that we are "destroying" some holidays? The gentleman made this statement just recently during the colloquy and it will show in the RECORD.

Mr. ROGERS of Colorado. We are removing some of the days upon which certain activities have been observed as holidays.

Mr. WAGGONER. You refuse to apparently answer the question or have been unable to get through to me.

Mr. ROGERS of Colorado. I have in days past not been able to get through to the gentleman nor to convince him.

Mr. WAGGONER. You have been through this procedure a lot more than I have been through it and you have never as yet convinced me of anything.

Mr. ROGERS of Colorado. The point I raise is that if we adopt the amendment which has been offered by the gentleman from North Carolina, we would effectively remove Memorial Day as a national holiday.

Mr. WAGGONER. Would not that, in effect, be "destroying" a legal holiday?

Mr. ROGERS of Colorado. Yes; it certainly would.

Mr. WAGGONER. Then the gentleman from Colorado advocates destroying Memorial Day?

Mr. ROGERS of Colorado. No; and this bill certainly would not destroy the observance of Memorial Day.

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

Mr. WAGGONER. I yield to the gentleman from North Carolina.

Mr. WHITENER. I suppose in order to answer that question and to retain the date on which Memorial Day is observed is for every single man to vote for my amendment and then to support an amendment writing in May 30.

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

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

Mr. McCLODY. I want to mention this fact: The distinguished gentleman from Massachusetts [Mr. BURKE] in a very impassioned plea with regard to Memorial Day made certain relevant statements. However, I wish to call the attention of the Members to the fact that the Legislature of the State of Massachusetts has adopted a uniform holiday system designating Memorial Day on Monday.

Mr. BURKE of Massachusetts. Mr. Chairman, I would like to inform the gentleman that the legislature did that, but the people of Massachusetts and the people throughout the United States of America will observe Memorial Day on May 30 of this year and that they will ignore the legislature.

Mr. Chairman, there are thousands of people in Massachusetts who have signed protest petitions against it.

SUBSTITUTE AMENDMENT OFFERED BY MR. KYL

Mr. KYL. Mr. Chairman, I offer a substitute amendment for the amendment offered by the gentleman from North Carolina.

The Clerk read as follows:

Amendment offered by Mr. KYL as a substitute for the amendment offered by Mr. WHITENER: On page 1, line 10, after the comma, strike the remainder of the sentence and insert "May 30."

Mr. ROGERS of Colorado. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. ROGERS of Colorado. Mr. Chairman, this constitutes an amendment to the Whitener amendment, and the

Whitener amendment is to strike the whole line. Therefore you cannot offer a substitute when you change it in the manner in which the gentleman does.

The CHAIRMAN. The gentleman from Colorado makes the point of order that the amendment offered by the gentleman from North Carolina is to strike out. The Chair feels that the proposed substitute of the gentleman from Iowa to the motion to strike out offered by the gentleman from North Carolina is not in order as a proper substitute.

Mr. ROGERS of Colorado. Mr. Chairman, then I raise the question that that would take unanimous consent.

The CHAIRMAN. Does the gentleman from Colorado suggest that the motion to strike which is inherent in the amendment offered by the gentleman from North Carolina should be disposed of before there are any amendments to line 10?

Mr. ROGERS of Colorado. That is my contention, Mr. Chairman.

The CHAIRMAN. The gentleman from Colorado is correct; that it is not in order to offer a substitute amendment for a motion to strike out and the Chair will rule that the point of order is valid. The Chair sustains the point of order.

Mr. WHITENER. Mr. Chairman, I ask unanimous consent to withdraw my amendment in order that the gentleman from Iowa may now offer his amendment.

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

There was no objection.

The CHAIRMAN. There being no objection, the amendment of the gentleman from North Carolina is withdrawn.

AMENDMENT OFFERED BY MR. KYL

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

The Clerk read as follows:

Amendment offered by Mr. KYL: On page 1, line 10, after the comma, strike the remainder of the sentence and insert "May 30."

Mr. KYL. Mr. Chairman, I certainly did not intend to precipitate any parliamentary discussion. I originally offered this amendment as a substitute simply to accomplish the task that the gentleman from North Carolina sought to accomplish and to expedite our business at this late hour.

This amendment would preserve Memorial Day on the date it has traditionally been observed, and I shall not take any further time on it.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa.

The amendment was rejected.

AMENDMENT OFFERED BY MR. THOMPSON OF GEORGIA

Mr. THOMPSON of Georgia. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. THOMPSON of Georgia. On page 1, line 8, strike "Washington's Birthday" and substitute in lieu thereof "Uniform Holiday No. 1".

On page 1, line 10, strike "Memorial Day" and insert "Uniform Holiday No. 2".

On page 2, line 2, strike "Labor Day" and insert "Uniform Holiday No. 3".

On page 2, line 3, strike "Columbus Day" and insert "Uniform Holiday No. 4".

On page 2, line 4, strike "Veterans Day" and insert "Uniform Holiday No. 5".

The CHAIRMAN. The gentleman from Georgia [Mr. THOMPSON] is recognized. Mr. THOMPSON of Georgia. Mr. Chairman, I do not think I need to take much time on this. But this is basically and precisely what we are doing.

We state on line 8, Washington's Birthday, the third Monday in February. Certainly, the third Monday in February is not Washington's birthday.

What we are attempting to do is to establish a system of uniform national holidays.

Now why do we not just recognize this fact? If that is what we want to do, if we want to disregard the day on which the event actually occurred or which has been traditionally recognized as being on those particular dates, why are we not forthright about it and simply designate them uniform national holiday No. 1, uniform national holiday No. 2, uniform national holiday No. 3, uniform national holiday No. 4—and so forth.

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

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

Mr. Chairman, I want to emphasize that all of us who are supporting this legislation are just as dedicated to these patriots and to these days that we are commemorating, as are any other Members of the House. I truly believe that through the adoption of a uniform Monday holiday bill, we can pay more respect and make more appropriate observance and recognition of these historic days.

We are not changing George Washington's birthday—we are retaining it but we are providing here for celebrating it on the third Monday of February every year.

Mr. Chairman, that is the purpose of this bill.

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

Mr. MCCLORY. I yield to the gentleman.

Mr. WHITENER. I have observed how sensitive the gentleman is about this and I just wonder how sensitive he will be a year from now when he sits on a service station bench and moves about out in Illinois and hears these folks he represents talking about these holidays.

Mr. MCCLORY. I think we have a great opportunity to pay a fitting tribute to all of the people of the Nation by this legislation, and to the service men and women.

I think that above all we are making a great contribution to the families of America through this legislation.

Mr. Chairman, I urge the defeat of the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia [Mr. THOMPSON].

The amendment was rejected.

AMENDMENT OFFERED BY MR. PICKLE

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

The Clerk read as follows:

CXIV—795—Part 10

Amendment offered by Mr. PICKLE: On page 2, line 3, strike out "Columbus Day, the second Monday in October".

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. PICKLE].

Mr. PICKLE. Mr. Chairman, it seems to me in including in this bill the creation of a new national holiday, we are going beyond what was apparently the initial intent of the legislation—namely, to establish Monday—uniform Monday holidays in three particular instances.

I do not share the strong feelings of some in the committee that havoc will be wreaked if we move some of these holidays to Mondays.

I suggest that you are creating a new national holiday here.

I would like to make two or three points. In the first place, this is going to cost somewhere in the neighborhood of \$90 million to \$95 million. This is the testimony of the Chairman of the Civil Service Commission, Mr. Macy. They can give you some other kind of interpretation—that this might result in the saving of money by better efficiency, but that is just slicing it in a different way and it comes out exactly the same still, in the neighborhood of some \$90 million. Perhaps it would be less, and we all hope so.

Second, you are including two Mondays in October and that means in the month of October, you are going to have two periods of three days each or six days, and if you get a long month, and sometimes October is, you are going to have anywhere from four to six additional holidays in October. You are just not going to get to work before you have another holiday.

I do not think this is something that businessmen want with respect to October. I admit that some of my business people have said that moving some of these dates would be favorable to them, but I have not found that the majority of them wanted to include Columbus Day in this. I think they have gone beyond the intent of the bill in this particular instance.

We do not need to interfere with the way the States want to celebrate Columbus Day. I, for one, would want to see them continue it because it is a great day in our history. To all American immigrants Columbus Day is vitally important to us, but we can observe that day as we are—and should—and it would not have to be made a national holiday.

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

Mr. PICKLE. I yield to the gentleman.

Mr. ANNUNZIO. I thank my distinguished friend, the gentleman from Texas, for yielding.

Mr. Chairman, I would like to point out to the gentleman since he mentioned the \$90 million figure that I have had the opportunity to serve as commissioner of labor in my State and there were in my State 4,000 employees in the department of labor; 3,800 of those employees were civil service employees and 200 were temporary employees.

For your information, when a holiday fell in the middle of the week, those employees that were civil service used up

their sick time and did not report to work the following day, and they had a long weekend.

I should also like to point out to you that we are talking about employees who are on a yearly salary, and I agree with the conclusion of the Chairman of the Civil Service Commission, that it will not cost the taxpayers of this country a dime, and that we are going to have more efficiency in our Government offices.

Mr. PICKLE. I appreciate the gentleman's views. In reply to the gentleman, I should like to observe that I have also served as State commissioner of the Texas Employment Commission, which is a division of the bureau of employment and a part of the department of labor. We do not have this problem in Texas. It caused no difficulty whatsoever. We still observe the spirit of Columbus Day in its fullest sense. The gentleman must surely admit that there has apparently been a conflict in testimony as to what has actually occurred, but the report clearly shows it would probably cost a considerable amount of money. I do not think these are the times when we need to create a new holiday. I think my amendment is valid and does not violate the spirit of what the committee originally intended.

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

I recognize that the gentleman offers the amendment in good faith. However, I would like to point out, first of all, what has already been indicated, but which I believe needs reemphasizing, that the Chairman of the Civil Service Commission, who originally was supposed to have made the statement that this new holiday would have added a certain amount of money, stated explicitly that he believed the proposal for a uniform observance of three or four holidays on Monday, by avoiding disruption of normal business operations, would clearly offset the added cost of the extra holiday.

What are we talking about? We are talking about October 12. We are talking about celebrating a day which is already being celebrated in 34 States. I believe this Congress certainly recognizes the greatness of Christopher Columbus. I need not reemphasize here or take the time of this Congress to tell about Christopher Columbus' exploits and what we owe to this man of whom it has been said by historians that "the whole history of America stems from the four voyages of Columbus." That is a quote that comes from Samuel Eliot Morison in his "Admiral of the Ocean Sea"—a noted historian and biographer.

I would also remind the gentleman that there are over 50 bills in the House declaring Columbus Day a national holiday, and that this holiday bill was considered in the Senate of the United States and was passed by that body in 1964. There is presently a bill under consideration now. For that reason I oppose the amendment and urge its defeat.

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

Mr. RODINO. I yield to the gentleman from North Carolina.

Mr. WHITENER. I appreciate the gentleman yielding. In view of the fact that

I earlier referred to the statement of the Chairman of the Civil Service Commission, it is only proper that I call to the gentleman's attention page 15 of the hearings conducted by Subcommittee No. 4 of the Judiciary Committee on Columbus Day legislation. The Chairman of that Commission, Mr. John W. Macy, Jr., sent a letter to the committee, dated September 25, 1967, saying that Columbus Day would cost the Federal taxpayer \$90 million. There is no "supposed" about it. It is in the record.

Mr. RODINO. The gentleman, however, has to agree that in a later letter the Chairman states:

I believe the proposal for a uniform observance by avoiding disruption of normal business operations would clearly offset the added cost of the extra holiday.

Mr. WAGGONER. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. WAGGONER. Mr. Chairman, I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Chairman, it seems to me if the Chairman of the Civil Service Commission can say it is going to cost \$90 million on 1 day, and then almost on the next day say it is not going to cost anything, we badly need a change of administration in the Civil Service Commission, because if \$90 million mistakes are made that easily and that speedily, it really deserves some attention.

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

Mr. WAGGONER. I yield to the gentleman from North Carolina.

Mr. WHITENER. Mr. Chairman, in view of that, perhaps we should make every Monday a legal holiday and make money for the Government.

Mr. LONG of Louisiana. Mr. Chairman, will the gentleman yield?

Mr. WAGGONER. I yield to my friend, the gentleman from Louisiana [Mr. LONG].

Mr. LONG of Louisiana. Mr. Chairman, I should like to make this observation, that I believe there is a march being made on Washington, and if my history is correct—and it may not be—the day before Richmond fell, the Confederate Congress spent all day debating how many newspapers should be placed on each member's desk.

Mr. WAGGONER. Well Nero fiddled while Rome burned.

I think it needs to be said since we seem to be so proud of Columbus, that when he left for this country he did not know where he was going, and when he got here, he did not know where he was, and when he got back, he did not know where he had been.

I think we should amend this and call it General Dayan Day. General Dayan did not have much to do with discovering America, but he sure did learn how to fight a war, did he not?

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. PICKLE].

The amendment was rejected.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

Sec. 2. The amendment made by subsection (a) of the first section of this Act shall take effect on January 1, 1971.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair [Mr. GIALMO], 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. 15951), to provide for uniform annual observances of certain legal public holidays on Mondays, and for other purposes, pursuant to House Resolution 1149, he reported the bill back to the House.

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

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

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

MOTION TO RECOMMIT

Mr. POFF. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. POFF. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. POFF moves to recommit the bill (H.R. 15951) to the Committee on the Judiciary with instructions to report the same back to the House with the following amendment: On page 1, line 8, after the comma, strike out the remainder of line 8 and line 9 and insert "February 22."

The SPEAKER. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

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

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

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 141, nays 153, not voting 139, as follows:

[Roll No. 129]

YEAS—141

Abbutt	Broyhill, Va.	Feighan
Adair	Buchanan	Findley
Andrews,	Burke, Fla.	Fisher
N. Dak.	Burke, Mass.	Ford, Gerald R.
Arends	Burleson	Fountain
Aspinall	Cabell	Fulton, Pa.
Baring	Carter	Fuqua
Battin	Chamberlain	Gallifanakis
Belcher	Clawson, Del.	Gathings
Bennett	Collier	Goodling
Berry	Colmer	Gray
Blackburn	Cramer	Griffin
Blanton	de la Garza	Gross
Bow	Devine	Gubser
Bray	Dole	Haley
Brinkley	Dorn	Hamilton
Brook	Dowdy	Hammer-
Broomfield	Downing	schmidt
Brown, Mich.	Duncan	Harvey
Brown, Ohio	Edmondson	Henderson
Broyhill, N.C.	Evans, Colo.	Herlong

Hull
Hutchinson
Jarman
Jonas
Jones, Mo.
Jones, N.C.
Kee
Kleppe
Kuykendall
Kyl
Langen
Lennon
Lipscomb
Long, La.
McCloskey
McMillan
Mahon
Marsh
Martin
Mathias, Calif.
Mathias, Md.
Mayne
Miller, Ohio
Montgomery
Morton
Myers
Natcher

Nelsen
O'Neal, Ga.
Passman
Patman
Pepper
Perkins
Pettis
Pickle
Poage
Poff
Pool
Price, Tex.
Quile
Randall
Rarick
Reid, N.Y.
Reifel
Reinecke
Rhodes, Ariz.
Robison
Rogers, Fla.
Roth
Roudebush
Rumsfeld
Satterfield
Scott
Shriver

Sikes
Skubitz
Slack
Smith, Calif.
Smith, Okla.
Snyder
Springer
Staggers
Stanton
Steiger, Ariz.
Stuckey
Thompson, Ga.
Thompson, Wis.
Tuck
Utt
Waggonner
Wampler
Watkins
Watson
White
Whitener
Widnall
Winn
Wyllie
Zion
Zwack

NAYS—153

Adams	Hathaway	Philbin
Addabbo	Hechler, W. Va.	Pike
Anderson, Ill.	Heckler, Mass.	Price, Ill.
Annuzio	Helstoski	Pucinski
Bates	Hicks	Rallsback
Bell	Howard	Reid, Ill.
Blester	Hungate	Reuss
Blatnik	Irwin	Riegler
Boggs	Jacobs	Rodino
Boland	Joelson	Rogers, Colo.
Brooks	Johnson, Calif.	Ronan
Brown, Calif.	Johnson, Pa.	Rooney, N.Y.
Button	Kastenmeier	Rooney, Pa.
Byrne, Pa.	Kazen	Rosenthal
Byrnes, Wis.	Keith	Rostenkowski
Carey	Kelly	Roush
Casey	King, N.Y.	Roybal
Clark	Kupferman	Ryan
Cleveland	Kyros	St. Germain
Conable	Leggett	St. Onge
Conte	Long, Md.	Sandman
Conyers	McClary	Scheuer
Culver	McClure	Schneebeli
Daddario	McCulloch	Schweiker
Daniels	McDade	Schwengel
Delaney	McDonald,	Shipley
Diggs	Mich.	Smith, Iowa
Dingell	McEwen	Smith, N.Y.
Donohue	McFall	Stafford
Dow	Macdonald,	Steiger, Wis.
Dulski	Mass.	Stratton
Eckhardt	Machen	Sullivan
Edwards, Calif.	Madden	Taylor
Erlenborn	Mailliard	Teague, Calif.
Eshleman	May	Tenzer
Fallon	Meeds	Thompson, N.J.
Fascell	Meskill	Tieman
Fino	Minish	Udall
Flood	Mink	Ullman
Foley	Minshall	Van Deerlin
Ford,	Monagan	Vander Jagt
William D.	Morgan	Vank
Friedel	Morris, N. Mex.	Vigorito
Fulton, Tenn.	Mosher	Walker
Gallagher	Murphy, Ill.	Whalen
Garmatz	Nix	Whalley
Gialmo	O'Hara, Mich.	Williams, Pa.
Gibbons	O'Konski	Wolf
Gonzalez	O'Neill, Mass.	Wyman
Green, Pa.	Ottinger	Yates
Halpern	Patten	Young
Hanley	Pelly	Zablocki

NOT VOTING—139

Abernethy	Cahill	Edwards, Ala.
Albert	Cederberg	Edwards, La.
Anderson,	Celler	Eilberg
Tenn.	Claancy	Esch
Andrews, Ala.	Clausen,	Everett
Ashbrook	Don H.	Evins, Tenn.
Ashley	Cohelan	Farbstein
Ashmore	Corbett	Flynt
Ayres	Corman	Fraser
Barrett	Cowger	Frelinghuysen
Betts	Cunningham	Gardner
Bevill	Curtis	Gettys
Bingham	Davis, Ga.	Gilbert
Bolling	Davis, Wis.	Goodell
Bolton	Dawson	Green, Oreg.
Brademas	Dellenback	Griffiths
Brasco	Denney	Grover
Brotzman	Dent	Gude
Burton, Calif.	Derwinski	Gurney
Burton, Utah	Dickinson	Hagan
Bush	Dwyer	Hall

Halleck	Lukens	Roberts
Hanna	McCarthy	Ruppe
Hansen, Idaho	MacGregor	Saylor
Hansen, Wash.	Matsunaga	Schadeberg
Hardy	Michel	Scherle
Harrison	Miller, Calif.	Selden
Harsha	Mills	Sisk
Hawkins	Mize	Steed
Hays	Moore	Stephens
Hébert	Moorhead	Stubblefield
Holifield	Morse, Mass.	Taft
Holland	Moss	Talcott
Horton	Murphy, N.Y.	Teague, Tex.
Hosmer	Nedzi	Tunney
Hunt	Nichols	Waldie
Ichord	O'Hara, Ill.	Watts
Jones, Ala.	Olsen	Whitten
Karsten	Pirnie	Wiggins
Karsh	Podell	Willis
King, Calif.	Pollock	Wilson, Bob
Kirwan	Pryor	Wilson
Kluczynski	Purcell	Charles H.
Kornegay	Quillen	Wright
Laird	Rees	Wyatt
Landrum	Resnick	Wydler
Latta	Rhodes, Pa.	
Lloyd	Rivers	

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert for, with Mr. Kirwan against.
Mr. Abernethy for, with Mr. Celler against.
Mr. Ashmore for, with Mr. Brasco against.
Mr. Roberts for, with Mr. Gilbert against.
Mr. Quillen for, with Mr. Dent against.
Mr. Betts for, with Mr. Ellberg against.
Mr. Denney for, with Mr. Holifield against.
Mrs. Bolton for, with Mr. Kluczynski against.

Mr. Bob Wilson for, with Mr. Miller of California against.

Mr. Gude for, with Mr. Murphy of New York against.

Mr. Rivers for, with Mr. Podell against.
Mr. Andrews of Alabama for, with Mr. Bingham against.

Mr. Flynt for, with Mr. Corman against.

Mr. Gettys for, with Mr. Farbstein against.

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

Mr. Kornegay for, with Mr. Matsunaga against.

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

Mr. Whitten for, with Mr. Barrett against.

Until further notice:

Mr. Albert with Mr. Michel.
Mr. Karsten with Mr. Cederberg.
Mr. McCarthy with Mr. Corbett.
Mr. Moorhead with Mr. Dellenback.
Mr. Moss with Mr. Ayres.
Mr. Evins of Tennessee with Mr. Laird.
Mr. Davis of Georgia with Mr. Harrison.
Mr. Burton of California with Mr. Harsha.
Mr. Brademas with Mr. MacGregor.
Mr. Bevill with Mr. Morse.
Mr. Ashley with Mr. Cahill.
Mr. Jones of Alabama with Mr. Clancy.
Mr. King of California with Mr. Cunningham.

Mr. Cohelan with Mr. Curtis.

Mr. Hanna with Mr. Frelinghuysen.

Mr. Selden with Mr. Halleck.

Mr. Sisk with Mr. Talcott.

Mr. Rhodes of Pennsylvania with Mr. Goodell.

Mr. Waldie with Mrs. Dwyer.

Mr. Tunney with Mr. Derwinski.

Mr. Teague of Texas with Mr. Dickinson.

Mr. Anderson of Tennessee with Mr. Burton of Utah.

Mr. Landrum with Mr. Ashbrook.

Mr. Everett with Mr. Brotzman.

Mr. Edwards of Louisiana with Mr. Moore.

Mrs. Griffiths with Mr. Latta.

Mr. Hardy with Mr. Hosmer.

Mr. Hays with Mr. Horton.

Mr. Nedzi with Mr. Pirnie.

Mr. Mills with Mr. Saylor.

Mr. Watts with Mr. Taft.

Mr. Wright with Mr. Gardner.
Mr. Willis with Mr. Grover.
Mr. Steed with Mr. Don H. Clausen.
Mr. Stubblefield with Mr. Cowger.
Mr. Pryor with Mr. Davis of Wisconsin.
Mr. O'Hara of Illinois with Mr. Pollock.
Mr. Ichord with Mr. Bush.
Mr. Karth with Mr. Scherle.
Mr. Fraser with Mr. Edwards of Alabama.
Mrs. Hansen of Washington with Mr. Ruppe.
Mr. Hawkins with Mr. Esch.
Mr. Rees with Mr. Wyatt.
Mr. Nichols with Mr. Gurney.
Mr. Resnick with Mr. Wiggins.
Mr. Olsen with Mr. Hall.
Mr. Purcell with Mr. Lukens.
Mr. Lloyd with Mr. Hunt.
Mr. Schadeberg with Mr. Mize.
Mr. Hansen of Idaho with Mr. Wydler.
Mr. Dawson with Mr. Holland.

The result of the vote was announced as above recorded.

The doors were opened.

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

Mr. GROSS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 212, nays 83, not voting 138, as follows:

[Roll No. 130]

YEAS—212

Adair	Ford	Minish
Adams	William D.	Mink
Addabbo	Friedel	Minshall
Anderson, Ill.	Fulton, Pa.	Monagan
Andrews	Fulton, Tenn.	Morgan
N. Dak.	Fuqua	Morris, N. Mex.
Annunzio	Galifianakis	Morton
Aspinall	Gallagher	Mosher
Ayres	Garmatz	Murphy, Ill.
Baring	Gialmo	Myers
Bates	Gibbons	Nix
Battin	Gonzalez	O'Hara, Mich.
Bell	Goodling	O'Konski
Berry	Gray	O'Neill, Mass.
Blester	Green, Pa.	Ottinger
Blanton	Griffin	Patten
Blatnik	Halpern	Pelly
Boggs	Hamilton	Pepper
Boland	Hanley	Pettis
Bray	Harvey	Philbin
Brinkley	Hathaway	Pickle
Brock	Hechler, W. Va.	Pike
Brooks	Heckler, Mass.	Price, Ill.
Broomfield	Helstoski	Pucinski
Brown, Calif.	Hicks	Quie
Brown, Ohio	Howard	Rallsback
Broyhill, Va.	Hull	Reid, Ill.
Burke, Mass.	Hungate	Reid, N.Y.
Button	Irwin	Reifel
Byrne, Pa.	Jacobs	Reinecke
Byrnes, Wis.	Jarman	Reuss
Carey	Joelson	Riegle
Casey	Johnson, Calif.	Robison
Clark	Kastenmeier	Rodino
Cleveland	Kazen	Rogers, Colo.
Conable	Keith	Rogers, Fla.
Conte	Kelly	Ronan
Conyers	King, N.Y.	Rooney, N.Y.
Cramer	Kleppe	Rooney, Pa.
Culver	Kupferman	Rosenthal
Daddario	Kyros	Rostenkowski
Daniels	Leggett	Roth
de la Garza	Lipscomb	Roush
Delaney	Long, Md.	Roybal
Diggs	McClary	Rumsfeld
Dingell	McCloskey	Ryan
Dole	McClure	St Germain
Donohue	McCulloch	St. Onge
Dow	McDade	Sandman
Dulski	McDonald,	Scheuer
Eckhardt	Mich.	Schneebeli
Edwards, Calif.	McFall	Schweiker
Erlenborn	Macdonald,	Schwengel
Eshleman	Mass.	Shipley
Evans, Colo.	Machen	Shriver
Fallon	Madden	Skubitz
Fascell	Mailliard	Smith, Iowa
Feighan	Mathias, Calif.	Smith, N.Y.
Findley	Mathias, Md.	Snyder
Fino	May	Springer
Flood	Mayne	Stafford
Foley	Meeds	Stanton
Ford, Gerald R.	Meskill	Steiger, Wis.

Stratton	Ullman	Williams, Pa.
Sullivan	Van Deerlin	Winn
Taylor	Vander Jagt	Wolff
Teague, Calif.	Vanik	Wyman
Tenzer	Vigorito	Yates
Thompson, Ga.	Walker	Young
Thompson, N.J.	Whalen	Zablocki
Tiernan	Whalley	Zion
Udall	Widnall	Zwach

NAYS—83

Abbott	Haley	Perkins
Arends	Hammer-	Poage
Belcher	schmidt	Poff
Bennett	Henderson	Pool
Blackburn	Herlong	Price, Tex.
Bow	Hutchinson	Randall
Brown, Mich.	Johnson, Pa.	Rarick
Broyhill, N.C.	Jonas	Rhodes, Ariz.
Buchanan	Jones, Mo.	Roudebush
Burke, Fla.	Jones, N.C.	Satterfield
Burleson	Kee	Scott
Cabell	Kuykendall	Sikes
Carter	Kyl	Slack
Chamberlain	Langen	Smith, Calif.
Clawson, Del	Lennon	Smith, Okla.
Collier	Long, La.	Staggers
Colmer	McEwen	Steiger, Ariz.
Devine	McMillan	Stuckey
Dorn	Mahon	Thomson, Wis.
Dowdy	Marsh	Tuck
Downing	Martin	Utt
Duncan	Miller, Ohio	Waggonner
Edmondson	Montgomery	Wampler
Fisher	Natcher	Watkins
Fountain	Nelsen	Watson
Gathings	O'Neal, Ga.	White
Gross	Passman	Whitener
Gubser	Patman	Wylie

NOT VOTING—138

Abernethy	Farbstein	Miller, Calif.
Albert	Flynt	Mills
Anderson,	Fraser	Mize
Tenn.	Frelinghuysen	Moore
Andrews, Ala.	Gardner	Moorhead
Ashbrook	Gettys	Morse, Mass.
Ashley	Gilbert	Moss
Ashmore	Goodell	Murphy, N.Y.
Barrett	Green, Oreg.	Nedzi
Betts	Griffiths	Nichols
Bevill	Grover	O'Hara, Ill.
Bingham	Gude	Olsen
Bolling	Gurney	Pirnie
Bolton	Hagan	Podell
Brademas	Hall	Pollock
Brasco	Halleck	Pryor
Brotzman	Hanna	Purcell
Burton, Calif.	Hansen, Idaho	Quillen
Burton, Utah	Hansen, Wash.	Rees
Bush	Harsha	Resnick
Cahill	Harrison	Rhodes, Pa.
Cederberg	Harsha	Rivers
Celler	Hawkins	Roberts
Clancy	Hays	Ruppe
Clausen,	Hébert	Saylor
Don H.	Holifield	Schadeberg
Cohelan	Holland	Scherle
Corbett	Horton	Selden
Corman	Hosmer	Sisk
Cowger	Hunt	Steed
Cunningham	Ichord	Stephens
Curtis	Jones, Ala.	Stubblefield
Davis, Ga.	Karsten	Taft
Davis, Wis.	Karth	Talcott
Dawson	King, Calif.	Teague, Tex.
Dellenback	Kirwan	Tunney
Denney	Kluczynski	Waldie
Dent	Kornegay	Watts
Derwinski	Laird	Whitten
Dickinson	Landrum	Wiggins
Dwyer	Latta	Willis
Edwards, Ala.	Lloyd	Wilson, Bob
Edwards, La.	Lukens	Wilson,
Ellberg	McCarthy	Charles H.
Esch	MacGregor	Wright
Everett	Matsunaga	Wyatt
Evins, Tenn.	Michel	Wydler

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Kirwan for, with Mr. Hébert against.
Mr. Celler for, with Mr. Abernethy against.
Mr. Brasco for, with Mr. Ashmore against.
Mr. Bob Wilson for, with Mr. Denney against.

Mr. Gude for, with Mr. Quillen against.

Mr. Lloyd for, with Mr. Betts against.

Mr. Gilbert for, with Mr. Roberts against.

Mr. Dent for, with Mr. Rivers against.

Mr. Ellberg for, with Mr. Andrews of Alabama against.
 Mr. Hollifield for, with Mr. Flynt against.
 Mr. Kluczynski for, with Mr. Gettys against.
 Mr. Miller of California for, with Mr. Hagan against.
 Mr. Murphy of New York for, with Mr. Kornegay against.
 Mr. Podell for, with Mr. Stephens against.
 Mr. Farbstein for, with Mr. Whitten against.
 Mr. Morse of Massachusetts for, with Mr. Dickinson against.
 Mr. Ruppe for, with Mr. Gardner against.
 Mr. Mize for, with Mr. Edwards of Alabama against.

Until further notice:

Mr. Albert with Mr. Laird.
 Mr. Corman with Mr. Latta.
 Mr. Bingham with Mr. Hunt.
 Mrs. Green of Oregon with Mr. Harrison.
 Mr. Matsunaga with Mr. Michel.
 Mr. Charles H. Wilson with Mr. Pirnie.
 Mr. Barrett with Mr. Bush.
 Mr. Karsten with Mr. Cederberg.
 Mr. McCarthy with Mr. Corbett.
 Mr. Moorhead with Mr. Cahill.
 Mr. Moss with Mr. Saylor.
 Mr. Evins of Tennessee with Mr. Cunningham.
 Mr. Davis of Georgia with Mr. Davis of Wisconsin.
 Mr. Burton of California with Mr. Talcott.
 Mr. Brademas with Mr. Esch.
 Mr. King of California with Mrs. Dwyer.
 Mr. Ashley with Mr. Goodell.
 Mr. Cohelan with Mrs. Bolton.
 Mr. Beville with Mr. Burton of Utah.
 Mr. Jones of Alabama with Mr. Clancy.
 Mr. Hanna with Mr. Don H. Clausen.
 Mr. Seiden with Mr. Pollock.
 Mr. Rhodes of Pennsylvania with Mr. Moore.
 Mr. Waldie with Mr. MacGregor.
 Mr. Mills with Mr. Hall.
 Mr. Tunney with Mr. Horton.
 Mr. Teague of Texas with Mr. Hosmer.
 Mr. Anderson of Tennessee with Mr. Brotzman.
 Mr. Landrum with Mr. Frelinghuysen.
 Mr. Everett with Mr. Ashbrook.
 Mr. Hardy with Mr. Halleck.
 Mr. Edwards of Louisiana with Mr. Wylder.
 Mrs. Griffiths with Mr. Schadeberg.
 Mr. Hays with Mr. Cowger.
 Mr. Nedzi with Mr. Curtis.
 Mr. Sisk with Mr. Dellenback.
 Mr. Wright with Mr. Derwinski.
 Mr. Willis with Mr. Grover.
 Mr. Steed with Mr. Hansen of Idaho.
 Mr. Stubblefield with Mr. Gurney.
 Mr. Pryor with Mr. Lukens.
 Mr. O'Hara of Illinois with Mr. Harsha.
 Mr. Ichord with Mr. Scherle.
 Mr. Karth with Mr. Taft.
 Mr. Fraser with Mr. Wiggins.
 Mr. Rees with Mr. Wyatt.
 Mr. Hawkins with Mr. Resnick.
 Mr. Nichols with Mr. Olsen.
 Mr. Holland with Mrs. Hansen of Washington.
 Mr. Purcell with Mr. Watts.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks, and include extraneous material, on the bill, H.R. 15951, which was just passed.

The SPEAKER. Is there objection to

the request of the gentleman from Colorado?

There was no objection.

CONGRESSMAN DOMINICK V. DANIELS WELCOMES ARMENIAN PATRIARCH

Mr. DANIELS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to include extraneous matter.

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

There was no objection.

Mr. DANIELS. Mr. Speaker, in welcoming His Holiness Vasken I, we pay homage to the Armenian Church and its faithful in America and to the millions of martyred Armenians who have given their lives because of their faith.

Mr. Speaker, I would like to take this opportunity to again call to the attention of my distinguished colleagues the resolution I introduced, House Joint Resolution 1151, which asks that the President, each year, proclaim April 24 as Armenian Martyrs' Day to commemorate the 2 million Armenian martyrs of 1915.

The cathedral that his holiness consecrated in New York City on April 28 will stand as a majestic symbol in America of the revitalization of the Armenian faithful after the tragedy of the massacres of 50 years ago.

His holiness honors us with his presence today. I hope that his journey throughout the United States will be as successful as his just completed visit to the New Jersey-New York area.

Mr. Speaker, I include after my remarks the message of his holiness upon the occasion of the consecration of the Armenian Cathedral:

MESSAGE OF HIS HOLINESS THE CATHOLICOS ON THE OCCASION OF THE CONSECRATION OF THE ARMENIAN CATHEDRAL IN NEW YORK, APRIL 28, 1968

"Return, we beseech thee, O God of Hosts: look down from heaven, and behold, and visit this vine and the vineyard which thy right hand hath planted." Psalm: 80:14-15.

Holy is the hour for us all, as the Patriarch of the Armenians opens the doors of this newly built temple with prayer and praise and offers the first Divine Liturgy before this holy altar.

Under the magnificent vaults of this church we see you, dear faithful, a true image of a living church. As we watch your faces we are aware of the wave of sacred emotions with which your souls are filled and rendered radiant with the light invisible. This is an admirable picture of spiritual grace; this is a rare moment of spiritual bliss, of which we all are witnesses.

Glory to God the Omniscient who has enabled us to live these hallowed moments. How consoling, how significant, especially in our day, is the powerful glow of religious fervor, the glow of the light of victorious Christianity.

Thou, O Lord God our Saviour, thou art truly, yes truly, the light of the world, the hope of the world.

Observe, dear faithful, observe with the eyes of your soul the blessed hand of Christ which descends upon us all. Let us unite and bow before that hand which is the preserver, guide and Saviour of our faithful ancient people and our Holy Church.

Many centuries ago, since the times of the Apostles, the Armenian people saw and be-

lieved in Christ, especially through the historic vision of St. Gregory the Illuminator of Armenia. For nearly seventeen centuries the Armenians remained faithful to the Gospel of Christ, remained faithful to the great hope of salvation, consistently, throughout their history, despite the heavy blows of fate. The last and greatest tragedy of the Armenian nation, in 1915, is well known throughout the world. Our people became the victim of the first genocide of the twentieth century, on its native soil, in Western Armenia, with the martyrdom of nearly two million Armenians.

The history of the Armenian people and their church has been an authentic witness for the Christian faith and martyrdom in the name of Christ and of freedom. Nevertheless the Armenian spirit, vitalized by St. Gregory's historic vision has had life and abundant life, creating the marvelous treasury of its distinctly original culture and has left to the centuries to come the book of its heroic history.

Today, on the fourth week of the fourth month of the year of our Lord, 1968, when Armenians everywhere are commemorating the martyrs of the nation, here on the soil of this great and magnificent city, you are gathered in your newly erected house of worship to confess once more your Christian faith and your national and cultural traditions.

We came in response to your invitation from the distant land of Armenia, from Holy Etchmiadzin, the center of Armenia's Christian faith, so that by praying together in this temple we may bear witness that the Armenian people remain loyal to their two thousand year vow, and continue to keep alive God's word and their Christian mission in our day, in Armenia and throughout the world.

This thought presents itself especially today, for every time a Christian church is built, we are reminded of our mission to rebuild the world through the Gospel of Christ. We believe, especially in our day, that Christian churches, together in a new spirit, should come to a full realization of their mission relative to the facts and issues of life in contemporary world.

Dear faithful, God is not dead, neither is humanity in man. We believe that men are destined to know God and immortality. Let us, therefore, preach Christ's Gospel with renewed faith in a new spirit, as though it were written especially for the men and women of our day, for their spiritual guidance, and their active participation in the solution of the great issues which confront the world today. Individual men and peoples are all in the midst of crisis today and are directing their gaze to the horizon searching for the shores of a new life "where mercy and truth are met together, righteousness and peace have kissed each other." Ps. 85:12.

As the Patriarch of the Armenian Church we will always pray for the peace of the world, the brotherhood of men, and harmonious cooperation of nations.

We also pray that your great and glorious land, Christ-loving America, exist in peace and prosperity through the continued flowering of the spiritual vitality, moral virtues, and constructive genius of its people.

On this memorable hour, we deem it a duty of conscience to express our gratitude for all the benefits which the sons of our church have been enjoying here, whose duty, of course, it is to duly appreciate those benefits as virtuous Armenian Christians and as honest and loyal American citizens.

Along with these thoughts, we greet cordially and gratefully the distinguished representatives of our sister churches, all our true brothers in Christ who prayed with us today in the holy temple. May the Lord accept our prayers and further strengthen our unity.

We fervently greet and congratulate your industrious Primate and the clerical order, the dedicated members of the Building Com-

mittee and of the Diocesan Council, who brought to a glorious realization the historic tasks of the construction of this Cathedral. Our commendation and paternal greeting to all the contributors and our blessings to all the people.

And thus, dear faithful, we wish to end our words with this statement:

Remain firm and unshaken on the rock of your faith as Armenian Christians. Live and work united in love, as one man, firm as an indivisible church, persevering and "submitting yourselves one to another in the fear of Christ" (Ephes. 5:21), retaining your sacred traditions, the values of your national heritage, and your Christian Armenian spirit under the blessings of Holy Etchmiadzin. Keep your newly erected Cathedral bright and luminous, approach with faith its holy altar, and open your hearts to the grace which will be distributed from this altar to you and your children. You will live by these graces, you will be enlightened and will shine by the work of your hands. It is through these graces that the great hope of salvation and eternal life will shine upon your soul. You, Armenian people, are destined to live forever, for Christ is eternal.

"Rejoice and be exceeding glad, for great is your reward in heaven"

"Ye are the salt of the earth, . . . ye are the light of the world. . . ."

"Let your light so shine before men that they may see your good works and glorify your Father which is in heaven." Math. 5:12-14. Amen.

Mr. NIX. Mr. Speaker, it is indeed a significant honor to have with us today such a distinguished and high-ranking church dignitary as His Holiness Vasken I, the supreme patriarch of the Armenian Church. His holiness in coming here honors us and we in our welcome to him pay tribute to a venerated and ancient church that has kept alive the Christian faith through centuries filled with many tragedies for its faithful.

I am happy to say that the Armenian faithful in America have provided their fellow Americans and for their children an evidence, a symbol, of their faith by erecting a magnificent cathedral in New York City. I am also happy that his holiness was able to journey here, as I understand he promised to do in his prior visit in 1960, to consecrate this cathedral. I congratulate those of my fellow Americans who had a part in the erection of this House of God.

I wish his holiness a successful journey as he travels to bring his blessings to his spiritual flock in America. We will be looking forward to the next visit of his holiness to the United States.

GENERAL LEAVE TO EXTEND

Mr. DANIELS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in respect to the visit of His Holiness Vasken I.

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

There was no objection.

CONGRESSMAN ANNUNZIO WELCOMES SUPREME PATRIARCH OF THE ARMENIAN CHURCH

Mr. ANNUNZIO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, in behalf of my constituents from the Seventh Congressional District of Illinois, many of whom are of Armenian descent, it gives me great pleasure to welcome His Holiness Vasken I, supreme patriarch of the Armenian Church who honors us with his presence here today.

During his current visit to the United States, as in his previous visit in 1960, his holiness has brought his patriarchal blessings to the faithful of his church, to Americans of Armenian descent, and indeed to all our citizens.

The Armenian Church has through the centuries been the source of spiritual nourishment for the Armenian nation and in fact has been the most important factor in the preservation of the identity of this ancient and noble nation.

I am happy that such a distinguished prelate as his holiness is able to honor us with his presence this morning. I am confident that he will receive welcomes and honors throughout his visit to our country as he has already received from his faithful flock, from civic leaders, and from religious leaders of the highest rank.

Mr. Speaker, I want to extend to his holiness my best wishes for continued success and a long and fruitful pontificate.

WELCOME TO HIS HOLINESS, VASKEN I

Mr. JOELSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

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

There was no objection.

Mr. JOELSON. Mr. Speaker, I want to add my words of welcome to His Holiness Vasken I, of the Armenian Church, who honors us with his presence here today. He is the leader of an ancient and noble church who has journeyed from the Holy Cathedral of Etchmiadzin in Armenia to consecrate a majestic Armenian cathedral in New York City and to visit throughout the United States to bring his blessings to Americans who are of Armenian descent.

His Holiness' last journey to the United States was in 1960. Then as now he brought great joy to the Armenian faithful by his visit. I join with my constituents to whom His Holiness has a special meaning in welcoming His Holiness to the United States, to this House, and wishing him continued success in his Christian endeavors.

Let me say that the cathedral in New York City consecrated by His Holiness located at 34th Street and Second Avenue should be visited by all who are interested in and sympathetic to the Armenian Church and its faithful. It is a worthy memorial to the Armenian martyrs.

I want to thank His Holiness for honoring us with his presence here today.

Mr. Speaker, I am pleased to insert the

address of welcome delivered by Archbishop Cooke upon the occasion of the visit of His Holiness to St. Patrick's Cathedral, and the response of His Holiness.

ADDRESS OF WELCOME IN HONOR OF HIS HOLINESS VASKEN I, SUPREME PATRIARCH AND CATHOLICOS OF ALL ARMENIANS, GIVEN BY ARCHBISHOP COOKE, APRIL 29, 1968

Your Holiness: In the name of the priests, the religious and faithful of the Archdiocese of New York, and in my own name, we welcome you to our Cathedral of St. Patrick. We are honored by your presence. With hearts filled with Christian friendship, we greet you as the Patriarch and Catholicos of the ancient Church of Armenia which owes its foundation to the Apostles, Saint Thaddeus and Saint Bartholomew. I am grateful that I had the opportunity of being with you at the historic and joyful occasion of the dedication of the Armenian Cathedral of St. Vartan in New York. Your Cathedral is a symbol—witnessing the Christian faith and martyrdom of the Armenian people in the name of Christ and the cause of freedom.

The Decree on Ecumenism of the Second Vatican Council reminds all Christians of the debt of gratitude they owe to the venerable Churches of the East when it declares: "From their very origins the Churches of the East have had a treasury from which the Church of the West has drawn largely for its liturgy, spiritual theology, and jurisprudence. Nor must we underestimate the fact that the basic dogmas of the Christian Faith concerning the Trinity and the Word of God made flesh from the Virgin Mary were defined in Ecumenical Councils held in the East. To preserve this faith, these Churches have suffered and still suffer much." (m. 14)

The Decree also mentions those gifts that we share with our Eastern brethren: the celebration of the Eucharist, which is the "source of the Church's life and pledge of future glory", and the veneration of the Mother of God, Mary ever Virgin, to whom "in their liturgical worship, the Eastern Christians pay high tribute in beautiful hymns of praise."

In our prayerful service of welcome to you, Your Holiness, we are bearing witness to this profound communion of faith and charity which unites us. At the same time, we Catholics join in prayer with our brethren of the Armenian Church that our Lord's prayer for the fullness of unity among His disciples may soon be fulfilled. Then, in the words of the Fathers of Vatican II, "with the removal of the wall dividing the Eastern and Western Church, at last there will be but one dwelling, firmly established on the cornerstone, Christ Jesus, who will make both one."

May we rededicate ourselves to our mission of rebuilding the world through the gospel of Christ.

May we pray together for Christian Unity, for the brotherhood of men and peace among the nations of the world.

RESPONSE OF HIS HOLINESS VASKEN I, SUPREME PATRIARCH AND CATHOLICOS OF ALL ARMENIANS, TO ARCHBISHOP COOKE'S WELCOME, APRIL 29, 1968

Most reverend brothers and dear faithful, the Patriarch of the Armenian Apostolic Church has come to you bringing warmest Christian greetings from Holy Etchmiadzin and Biblical Ararat.

In uttering the name of Holy Etchmiadzin, we Armenians are reminded of the tradition according to which, on a blessed day, St. Gregory the Illuminator witnessed in a vision the descent of the Only Begotten upon the soil of Armenia on which the Apostles had trod, and there he laid the foundations of the Mother Cathedral and Patriarchal See of the Church of Armenia.

The vision of long-suffering St. Gregory is for us the actuality whereby early in the fourth century the Armenian nation took Christ into its heart and lived creatively the

experience of Christian spirituality, to this very day.

The Armenian Church presents itself to the contemporary world and to sister churches with the experience of seventeen centuries.

With these words, the 133rd Patriarch of the Armenian Church today brings greetings to you all, from Holy Etchmiadzin, and prays for God's divine blessing.

We rejoice, for in our day the doors of all churches have been opened wide for brotherly embrace, to pray and to work together.

This bright era opened for the great Roman Catholic Church by Pope John XXIII of blessed memory, whose work is today carried on by his most worthy successor. His Holiness, the Pontiff Paul VI, with such noble inspiration and well-founded spiritual authority.

Through the establishment and progress of the great movement of the World Council of Churches and of the ecumenical spirit of the Roman Catholic Church, the ideal of love and unity among all Christians has become crystallized and with which we all, all churches have become imbued. Thus gradually the ideal of brotherhood will gain strength, making it possible to carry on the dialogue with the world more successfully.

Even though the term "Dialogue with the contemporary world" is a new expression, its beginnings, as a mode of Christian life and action, go to the time of the apostles. Where they met Christ's apostles who initiated the great dialogue with their contemporary world? And is it not true that the luminous personalities of the Church constantly, for centuries, followed the same course? We believe that they well understood the signs of the times, understood the social degradation, crying injustices, and moral ills of their time and knew how to plunge into the torrent of life so as to renew human life through the light of the Gospel, dispensing peace, consolation, and the great hope of salvation.

In the course of their history, all churches have produced apostle-like spiritual fathers. When St. Francis of Assisi cast away his garments of silk to put on the rags of a mendicant, when he kissed the leper and when he stated to the Bishop of Assisi that if we amassed riches we would have to provide weapons with which to defend our wealth—were these not bold attempts in his time to seek forms of dialogue with the contemporary world?

These thoughts have occurred to me, dear brothers, on the occasion of visiting you and your celebrated cathedral.

We are moved by your gracious words you, our brothers in Christ, Archbishop Cooke and feel obligated for your warm hospitality.

You and we preach the same Holy Gospel with the same faith and same hope. We are, therefore, one in Christ. May God enlighten our hearts and the course of our labors, and lead us towards the fulfillment of His will.

"Cast not away, therefore, your confidence, which hath great recompense of reward. For ye have need of patience, that, after ye have done the will of God, ye might receive the promise." (Hebrews 10: 35-36) Amen.

TWO STEPS FORWARD, ONE STEP BACK

Mr. MONAGAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. MONAGAN. Mr. Speaker, the Communist Party parley held in Dresden recently, and the visit to Moscow by

Czech Communist Party Chief Alexander Dubcek last weekend, should serve as clear examples of the sudden checks which can so easily be put on the optimistic accounts in the Western press of recent political dissent in Eastern Europe. At the meeting of the comrades of the Warsaw Pact, Czechoslovakia was sternly warned that restraint is safer than reform when walking the road to socialism; in Moscow the Czechs and Russians, after a hastily called meeting, publicly renewed their mutual aims, despite apparent private disagreement.

The waves of enthusiasm stirred in the United States at even the slightest ripple from behind the Iron Curtain may tend to give readers here the certain satisfaction that the Soviet Bloc is becoming more "capitalist" by the day, and freer from the political and economic controls of the Soviet Union.

However, our wishful interpretation of the limited details about recent signs of dissent in Eastern Europe may at times outpace the more sober facts, and the renewed solidarity proclaimed at Dresden and Moscow are excellent, if somewhat chilling, examples of the strict patterns which determine political developments in the Soviet sphere.

We certainly do encourage the expressions of Rumania, Poland, and Czechoslovakia for a more democratic way of life. But we should also temper our enthusiasm and support with a realistic respect for the economic and social facts of their situation.

For example, in Czechoslovakia it has recently been made clear that "democratic" progress will not go so far as to permit the existence of several political parties. Democracy will be developed by independent groups within the Communist Party, says Chairman Dubcek. Frantisek Kriegel, secretary of the National Front Organization, is in charge of all political activities.

These countries are making progress toward greater freedom of political and individual expression, but it is progress measured in steps rather than strides or leaps forward, and in most cases it follows the cadence of "two steps forward, one step back." They are marching to a different drummer, and this we should remember.

WORKING PAPER ON THE NORTH VIETNAMESE ROLE IN THE WAR IN SOUTH VIETNAM

Mr. EVANS of Colorado. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

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

There was no objection.

Mr. EVANS of Colorado. Mr. Speaker, at the heart of the current controversy in America regarding the nature of the conflict in Vietnam has been the question of the extent to which this is simply an internal civil war in South Vietnam or whether it is a mix of internal civil war and direct political and military ag-

gression by North Vietnam against the South pursuant to a Communist policy of instigating, controlling, and supporting "wars of national liberation."

In view of the critical importance of this issue at home and abroad, I personally requested Vietnam experts in the Department of State to set forth the facts they had and could obtain regarding the involvement of North Vietnam in the conflict in the South.

This report has taken considerable time to put together. It is the result of months of work reviewing literally thousands of sources from which some of the items of greatest clarity and importance have been selected. Although this is not an official State Department paper, it is, I believe, a scholarly attempt to illustrate events bearing on the situation.

I hope that this document will attract the wide attention of the Congress and the American people, for a critical study of its contents may shed important light on the nature of this conflict. I include it herewith:

WORKING PAPER ON THE NORTH VIETNAMESE ROLE IN THE WAR IN SOUTH VIETNAM

This working paper discusses the role of North Viet-Nam in the origin, direction and support of the war in South Viet-Nam. It is based on the appended compilation of more than 100 verbatim captured documents, intelligence briefs and the whole or part of interrogations edited for security. The information in this compilation goes as far as is now justifiable in the public interest. Obviously such a compilation cannot include information from sensitive sources who could be easily compromised under present wartime conditions. If such information were releasable, the paper would be considerably more conclusive. Nonetheless, even with these limitations, it is believed that the paper and accompanying compilation are both useful and informative.

The footnotes to this paper are based largely on the material in the compilation. The nature of the material is, however, fully described in the footnotes so that the reader can get a fairly good idea of the kind of information involved even if he does not have the compilation fully before him.

Among the documents in the compilation, perhaps the three most important ones, captured within the past two years and of great interest to any student of this subject, are as follows:

(a) *CRIMP Document*: A 23,000-word review of the "Experience of the South Viet-Nam Revolutionary Movement during the Past Several Years" which was written about 1963 by an unidentified Communist cadre and was captured by Allied Forces in early January 1966 during Operation CRIMP.

(b) *Le Duan Letter*: A letter dated March 1966, presumably written by Le Duan, First Secretary of the Lao Dong [Communist Party of Viet-Nam] Central Committee and member of the Politburo; captured by units of the 173rd Airborne Brigade, January 21, 1967 during Operation Cedar Falls.

(c) *Talk of General Vinh*: A talk by General Nguyen Van Vinh, Chief of Staff of the North Vietnamese High Command and Chairman of the Lao Dong's Reunification Department, made before the Viet Cong Fourth Central Office (COSVN) Congress in April 1966. It was captured by U.S. Forces in Ninh Thuan Province in early 1967. The reader may find that the style of these and other documents is heavy and frequently hard to follow. These characteristics make close scrutiny of the texts and a knowledge of the historical context essential to their interpretation.

The following discussion of North Viet-Nam's role in the current war is in two parts. The first deals briefly with certain aspects of the setting in which the war started. The second outlines what can be said, on the basis of this documentary material, about the origins and evolution of the war.

I. THE SETTING OF THE WAR

This paper does not attempt to provide an account of the complex series of events that led up to the current war. However, there are two features of the Vietnamese political landscape in the period following the French decision to end the fighting in 1954 that require mention.

A. The Geneva Accords, 1954

The Geneva Accords constitute the first of these features. Although much has already been written about them, their most important practical effect was to create two separate international entities in Vietnam. That a separate national entity—South Viet-Nam—existed against which aggression could be committed is evident from the following facts:

1. Anyone reading the Accords will recognize that the establishment of the 17th parallel as a dividing line between North and South Viet-Nam, the provision for the movement of the Vietnamese people north or south of the parallel according to their political preferences, the postponement of general elections for two years, and the ambiguity as to how such election could be organized—all point to the conclusion that the country was being divided. Arthur Schlesinger, Jr. makes this point in his book, *The Bitter Heritage*, when he says that the negotiations in Geneva "resulted in the *de facto* partition of Viet-Nam at the 17th parallel and the independence of Laos and Cambodia."¹ As far back as 1955, South Viet-Nam was recognized, *de jure*, by 36 countries, and North Viet-Nam had full relations with 12 countries. Today the Republic of Viet-Nam has *de jure* diplomatic relations with 52 nations. North Viet-Nam has diplomatic relations with 24 countries, 12 of whom belong to the Communist bloc.

2. The situation had ample precedent in what had happened in Korea. There, the country had been divided at the 38th parallel, and remained so even though a resolution of the United Nations General Assembly in 1947 recommended elections not later than the end of March 1948, to be followed by the convening of a Korean national assembly, and the formation of a national government.²

3. The Soviet Union, in 1957, proposed to admit North Viet-Nam, South Viet-Nam, and the two Koreas to the United Nations as four separate states. In fact, Soviet spokesmen have specifically said: "The realistic approach was to admit that there were two States with conflicting political systems in both Korea and Viet-Nam."³ They later reversed their position regarding South Viet-Nam; the United States was opposed to the admission of both North Viet-Nam and North Korea.

4. The United States, for its part, indicated in 1954 that it would "refrain from the threat or the use of force to disturb" the Geneva Accords. But it also stated that "it would view any renewal of the aggression in violation of the aforesaid Agreements with grave concern

and as seriously threatening international peace and security."⁴

5. When President Kennedy wrote to President Ngo Dinh Diem on December 14, 1961, announcing a major increase in U.S. assistance to South Viet-Nam, he noted that "the campaign of force and terror now being waged against your people and your Government is supported and directed from the outside by the authorities in Hanoi." He further referred to the U.S. declaration of 1954: "At that time, the United States, although not a party to the Accords, declared that it 'would view any renewal of the aggression in violation of the agreements with grave concern and as seriously threatening international peace and security.' We continue to maintain that view."⁵

B. The Communist apparatus in South Viet-Nam

A second feature of the Vietnamese landscape both before and since 1954 has been the existence of a Communist political and military apparatus in South Viet-Nam. Party documents captured by French forces during their war against the Viet Minh described the Communist organization of the period.

1. In the South, the apparatus was broadly divided between two regions, or "interzones," and a special zone in the area of Saigon. Each of these zones originally reported directly to Communist Party headquarters in Hanoi. Interzone 5 (Trung Bo) encompassed the northern and central part of South Viet-Nam. Interzone Nam Bo consisted of the south and southwest, including the Delta. Province, district, town, and village cells reported to these "interzones."⁶

2. In 1951, when the Communist Party in the North was reconstituted as the *Lao Dong* Party, its apparatus in the South was reorganized under a six-man *Trung Uong Cuc Mien Nam*, or Central Office for South Viet-Nam (COSVN).⁷

3. The head of COSVN and senior Party representative in the South was Le Duan, an Annamite, who is now First Secretary of the *Lao Dong* Party in Hanoi. His deputy was Le Duc Tho, a northerner, who today is also a member of the Politburo of the *Lao Dong* Party. Le Duan and Tho appear to have had considerable independence of action in directing day-to-day military and political operations in the South, but remained answerable on broad policy questions to the heads of the *Lao Dong* Party in the North.⁸

4. The end of the war against France in 1954, and the establishment of North and

¹ Statement by the Under Secretary of State, Walter Bedell Smith, at the concluding Plenary Session of the Geneva Conference, July 21, 1954; Department of State Bulletin, August 2, 1954, pp. 162-163.

² Letter from President Kennedy to President Diem, December 14, 1961; Department of State Bulletin, January 1, 1962, pp. 13-14.

³ A report of "The Expansion of the Party" and other matters by the Party Central Committee in 1948; "Remarks on the Official Appearance of the Vietnamese Workers' Party," dated November 1951; "Report on the Work of Edification of the Party During the July/September Quarter of 1949." "Principles and Organizational Structure of the Committee for Zones Occupied by the Enemy"; March 12, 1949; "Resume of Decisions Taken by the Permanent Central Committee of the Party Regarding the Organization of the Party in the Army"; Instructions dated August 13, 1949 to the Nambo Regional Committee. (Items 1-6)

⁴ "Decision to Create the Central Office for South Viet-Nam"; a *Lao Dong* Party document dated June 7, 1951. (Item 211)

⁵ See a 1961 intelligence summary, compiled during the Indo-China War, describing Le Duan's and Tho's positions. (Item 11)

South Viet-Nam, brought no significant change in the centralized control of the Party by Hanoi. Although COSVN was phased out, its functions in the southern and southwestern provinces were assumed by the Regional Committee for Nam Bo. Hanoi took direct charge of party activities in Interzone 5, the northern part of South Viet-Nam.⁹

II. ORIGINS AND EVOLUTION OF THE CURRENT WAR

It was in this setting that the current war in South Viet-Nam started and evolved. Five major phases in this development can be readily identified. The evidence for each of the five phases and the inferences that can be drawn about the role played by North Viet-Nam are summarized below.

A. The political phase, 1954-56

This was the period in which both Hanoi and Saigon were working to secure control over their respective parts of Viet-Nam. At the same time, although one cannot be certain about the precise numbers, approximately 900,000 people fled the North to the South; about 90,000 people chose to go North under the terms of the Geneva Accords.¹⁰ During these years, Ngo Dinh Diem—first as Premier, then as President of South Viet-Nam—undertook his campaigns to bring various dissident factions and sects under the authority of the Government of South Viet-Nam. Ho Chi Minh consolidated his power in the North, and North Viet-Nam, for its part, took the following steps with respect to South Viet-Nam:

1. Deputy Premier Pham Van Dong, at the closing session of the Geneva Conference on July 12, 1954, expressly stated that "We shall achieve unity. We shall achieve it just as we have won the war. No force in the world, internal or external, can make us deviate from our path . . ." Ho Chi Minh emphasized this determination the next day by calling publicly for a "long and arduous struggle" to win the southern areas, which he characterized as "territories of ours."¹¹

⁹ Report of the Interrogation of Tran Ba Buu after his capture in 1956. (Item 12) Intelligence summary from ralliers, cadres, infiltrated agents and captured documents; deals particularly with Nambo Region (southwestern provinces). (Item 210)

¹⁰ Fourth Interim Report of the International Commission for Supervision and Control in Viet-Nam (April 11, 1955 to August 10, 1955) (London: HMSO, 1955, 30, Appendix IV) C.f., B.S.N. Murti, *Viet-Nam Divided* (New York: Asia Publishing House, 1964), pp. 88-91; Bernard B. Fall, *The Two Viet-Nams* (New York: Praeger, Revised Edition, 1964), pp. 153-154, 358, uses the figure 860,000 from North to South; Fall *Viet-Nam Witness* (New York: Praeger, 1966), p. 76. For estimates on movements from South to North, see Murti, *op. cit.*, p. 224; R. P. Stebbins and the Research Staff of the Council on Foreign Relations, *The United States in World Affairs, 1954* (New York: Harper and Bros., 1956), p. 285, quoted in Kahin and Lewis, *United States in Viet-Nam* (New York: Dial Press, 1967), p. 75; both the latter cite figures in excess of 100,000. The Viet Minh claim 140,000; e.g., Wilfred G. Burchett, *Viet-Nam, Inside Story of the Guerrilla War* (New York: International Publishers, 1965), p. 128. The 1965 White Paper gives the figure 90,000; U.S. Department of State, *Aggression from the North* (Department of State publication 7839, February, 1965), p. 11.

¹¹ Ho Chi Minh, "Appeal made after the successful conclusion of the Geneva Agreements", (July 22, 1954). *Ho Chi Minh on Revolution*, Bernard B. Fall, ed., (New York: Praeger, 1967) p. 272: "North, Central and South Viet-Nam are territories of ours. Our country will certainly be unified. Our entire

¹ Arthur M. Schlesinger, Jr., *The Bitter Heritage* (Boston: Houghton Mifflin Co., 1967), p. 10.

² William Reitzel, Morton A. Kaplan, and Constance G. Goblenz, *United States Foreign Policy, 1945-1955* (Washington: Brookings Institution, 1956), pp. 176-177.

³ John Norton Moore, "The Lawfulness of Military Assistance to the Republic of Viet-Nam," in *American Journal of International Law*, Vol. 61, No. 1 (January, 1967), pp. 1-34.

2. Hanoi did withdraw the bulk of its fighting men from the South. However, most of these "regroupes" were placed in special units. They formed into the 305th, 324th, 325th, 330th, and 338th Divisions of the North Vietnamese Army. At least until 1959, these divisions were reportedly composed entirely of South Vietnamese.¹²

3. Hanoi also left a small but experienced military force in South Viet-Nam. Although its exact size is unknown, in 1956 the U.S. military attaché estimated it at about 5,000 men.¹³

4. In addition, and perhaps more decisive to long term Communist strategy, North Viet-Nam continued to maintain its political network in the South.¹⁴ Even in the first year after Geneva, it sent a small number of cadres across or around the 17th parallel.¹⁵ A notable arrival was General Van Tien Dung, then and since chief of staff of the North Vietnamese Army, who dropped abruptly from public view in the North for a period in 1955-56. Intelligence reports placed him in South Viet-Nam, where he was working to organize additional units of former Viet Minh cadres who had not gone North, and to prepare for future infiltration and expansion of the apparatus in the South.¹⁶

5. Most important of all, Hanoi ordered its apparatus in the South to go underground. As the *CRIMP Document* puts it: "The party apparatus in South Viet-Nam . . . became covert. The organization and methods of operation of the party were changed in order to guarantee the leadership and focus forces of the Party under the new struggle condition." A Party policy paper of the time defines as part of "the immediate mission of Nambo . . . the consolidation and reformation of Party organisms and popular groups on a clandestine basis, based upon vigilance and revolutionary procedures designed to safeguard our forces . . ."¹⁷

6. These orders were apparently obeyed. There are reports of Party meetings in 1956-57 to discuss a change of tactics, and Le Duan is represented as urging increased military action. "Our political struggle in the South will sometimes have to be backed up with military action to show the strength of [our]

people will surely be liberated." Also, Department of State, Intelligence Brief, August 5, 1954. (Item A)

¹² Interrogation of Le Van Thanh, Viet Cong signal platoon leader, in which five divisions were described that were composed of South Vietnamese were regrouped in the North following the 1954 Geneva Accords. (Item 84)

¹³ U.S. Army Attaché situation report, Saigon, July 1956. (Item 25)

¹⁴ Interrogation of a man who handled Viet Cong agents at the time of his capture in 1964; 1958 South Vietnamese counter-espionage report; Memorandum to All Provincial Committees from Eastern Interzone Committee, Lao Dong Party, obtained November 29, 1964; Intelligence report of November 1955. (Items 27, 28, 29, 205)

¹⁵ South Vietnamese counter-espionage report of 1958 giving details of DRV intelligence activities; and Intelligence report of November 1955, noting the arrival of 50 experienced regroupes in South Viet-Nam in October 1955. (Items 28 and 205)

¹⁶ Interrogation of Viet Minh cadre who deserted in 1956; document taken from a political officer with Communist forces in South Viet-Nam on November 27, 1956; description by a North Vietnamese of the Van Tien Dung/Pham Van Bach missions; summary of intelligence reports concerning Van Tien Dung and the Hoa Hao. (Items 16, 19, 21, 22)

¹⁷ The *CRIMP Document*; also a Viet Minh policy paper on strategy issued by the Central Committee on the Lao Dong Party to the Nam Bo Interzone, obtained in November 1954. (Item 200)

forces," he told a Party conference in the South on March 18, 1956. "Therefore we should increase our forces in the South and develop military action."¹⁸ Nonetheless, despite these outbursts, the apparatus seems to have followed the line of the *Lao Dong Party* through 1956, and to have worked for unification by political means; i.e. by subversion and all means short of resorting to open armed conflict.

It is clear from this evidence that:

1. Hanoi was indeed both committed and determined to bring the South under its control.

2. Hanoi was also willing to accept unification by way of the Geneva Accords, provided that it could manipulate these Accords so as to ensure victory for the *Lao Dong Party* and control of the South by the North.

3. Even so, the North Vietnamese leaders hedged their bets. They were willing to rely upon political means according to their own interpretation of the Geneva Accords. They left enough of their political and military apparatus in South Viet-Nam so as to weaken it from within and be able to take advantage of any elections should these come about. But they also were prepared to expand the apparatus in order to return to "armed struggle" or an all-out military effort if the political gambit failed. And, of course, the political gambit did fail.

Indeed, the period from 1954 through 1956 saw the consolidation of the Diem government in South Viet-Nam, and what has sometimes been described as a "miracle" of settling down and accomplishment, at least in relation to what may well have been North Viet-Nam's expectations of early collapse.

Moreover, the elections scheduled for July 1956 under the Geneva Accords never did take place. On this much-debated issue, the key points to recall are the fact that the Geneva Accords called for "free" elections and that, as all responsible observers at the time agreed, North Viet-Nam would not conceivably have permitted any supervision or any determination that could remotely have been called free. Hence, Diem refused to go through with the elections, and we supported him in that refusal.¹⁹

B. The outbreak of the war, 1956-59

The period from 1956 to 1959 is a particularly difficult one to characterize in a few words. In South Viet-Nam, despite earlier political and economic gains, President Diem was becoming increasingly repressive in his efforts to maintain his authority; in the process he undoubtedly contributed to growing, if relatively disorganized, opposition. In the countryside, peasant discontent was aroused particularly by his brother's excessive measures to ferret out Communist cadres; and urban discontent was aroused by his efforts to discredit and neutralize any opposition that went beyond mere dissent.

This dissatisfaction was exploited by the Communist underground apparatus which now became less reluctant to use overt means,

¹⁸ Interrogation of Viet Minh cadre who surrendered in March, 1966, in which Le Duan's disgust with DRV policy toward the ICC and his eagerness to invade South Viet-Nam are described; see also a document taken from a political officer of communist forces in South Viet-Nam on November 27, 1956, in which Le Duan is reported to feel the time for a military struggle has come; see also a document issued by the Lao Dong Party Central Committee for guidance of cadres, probably dated late Spring 1956. (Items 18, 19, 204)

¹⁹ A somewhat more detailed discussion of the election problem, including the contemporary comments of Senator John F. Kennedy and Professor Hans Morgenthau, will be found in "The Path to Vietnam," by William P. Bundy, published by the Department of State in the Fall of 1967. (Item L)

and, in areas where its strength was relatively unchallenged by the Government, to resort to selective terrorism. Although statistics for the period are neither complete nor entirely reliable, a sharp rise in terrorism seems to have begun as early as 1957. It appears that by 1958 the Government was losing about 40 civilian officials and 40 military personnel per month, and it is widely conceded that an organized uprising against Diem got underway sometime between then and 1960.²⁰

What about the role of North Viet-Nam in this uprising? The evidence indicates the following:

1. There was considerable debate within the Communist apparatus in the South as to what strategy they should follow, given the failure to achieve unification by political means.

2. By 1958, according to the *CRIMP Document*, "the majority of the party members and cadres felt that it was necessary to launch immediately an armed struggle in order to preserve the movement and protect the forces. In several areas the party members on their own initiative had organized armed struggle against the enemy." Yet at the same time, there were others who were hesitant to push the armed struggle. "These people did not fully appreciate the capabilities of the masses, of the Party and of the movement and therefore did not dare mobilize the masses in order to seek every means to oppose the enemy." The Nam Bo Regional Committee leadership hesitated, "but the principal reason was the fear of violating the party line."²¹

3. During this period, the *CRIMP Document* reports that "the political struggle movement of the masses, although not defeated, was encountering increasing difficulty and increasing weakness; the Party bases although not completely destroyed were significantly weakened, and in some areas quite seriously; the prestige of the masses and of the revolution suffered."²²

4. Meanwhile, Le Duan left South Viet-Nam sometime in 1957, emerged in Hanoi, and became First Secretary of the *Lao Dong Party*—an indication that those favoring the armed struggle had prevailed.²³

5. In 1958, there is evidence that Hanoi took the first steps to organize the movement of men and supplies both through Laos and across the Demilitarized Zone (DMZ).²⁴

6. Then, in May 1959, the Politburo of the *Lao Dong Party* announced the decision for war against South Viet-Nam. Although the decision itself may have been taken earlier, the directive of the Politburo, again according to the *CRIMP Document*, "stated that the time had come to push the armed struggle against the enemy. Thanks to this . . . in October 1959 the armed struggle was launched." As described by the *CRIMP Document*, "it immediately took the form in South Viet-Nam of revolutionary warfare, a long-range revolutionary warfare."²⁵

²⁰ Robert Seigliano, *South Viet-Nam: Nation Under Stress* (Boston: Houghton Mifflin, 1964), p. 138; Bernard B. Fall, *Viet-Nam Witness* (New York: Praeger, 1966), pp. 185-188. Denis Warner, *The Last Confucian* (New York: Macmillan, 1963), p. 154ff.

²¹ The *CRIMP Document*.

²² *Ibid.*

²³ Intelligence report, March 1, 1956; intelligence report, June 15, 1956; Radio Hanoi broadcasts of September 3, 1957 and October 19 and 30, 1957, describing Le Duan's activities. (Items B-F)

²⁴ Interrogation of a Montagnard in Quang Tri Province, who turned out to be a Viet Cong agent, and infiltrated into South Viet-Nam in October, 1961. (Item 70)

²⁵ The *CRIMP Document*; see also Party Communique, May 13, 1959 and Comments on Party Communique, May 14. (Items J and K)

7. By the end of 1959, more than 400 civilians had been murdered and another 579 kidnapped in South Viet-Nam.²⁰ Armed attacks had increased significantly in size, with company-strength Viet Cong units appearing in assaults on army outposts and patrols. In January 1960, a Viet Cong battalion some 500 strong successfully attacked an ARVN regiment.

The history that seems to emerge from these data is as follows:

1. Hanoi had committed itself publicly and irrevocably to a return to armed struggle in the South.

2. The southern part of the Communist apparatus had become restive with the political approach by 1956, and Le Duan in particular was persuaded that force would be required to bring about unification.

3. The Diem regime's trend toward repression made the "objective" conditions seem ripe for launching the struggle.

4. The Party apparatus was gradually reactivated into militant actions where local conditions permitted.

5. By May 1959, at the latest, Hanoi in effect declared war on South Viet-Nam and committed its political and military apparatus in the South to the struggle.

It is at least conceivable that Diem strengthened Hanoi's hand by virtue of the measures he was taking against both the dissident sects and the Communist apparatus in the South. It may even be that the sense of weakness felt by the leaders of Nam Bo, and Hanoi's fear that it would lose control over the apparatus, triggered the decision. But the fact is that Hanoi decided to reunify the country by force. Moreover, it appears to have had the only apparatus in the South capable of organizing and controlling an outbreak of violence of the magnitude that then occurred.

C. The special war, 1959-63

For the next four years, from the end of 1959 to the end of 1963, the Viet Cong engaged in what the *CRIMP Document* called a long-range revolutionary warfare against the Diem regime and its immediate successor. During those four years, the strength of the Viet Cong increased substantially, and a revolutionary apparatus emerged in South Viet-Nam that was ostensibly independent of North Viet-Nam.

What role did North Viet-Nam play in these developments? On the military side, there is the following evidence of Hanoi's activities:

1. The North Vietnamese authorities formed border-crossing teams in early 1959 to transport medicines, ammunition, food, and documents across the DMZ.²¹

2. The Central Committee of the *Lao Dong* Party ordered the formation of the 559th Transportation Group to provide for the support of Viet Cong bases in the South. Founded in May, 1959, the 559th was placed directly under the Central Committee and in close liaison with the Ministry of Security, the Army General Staff, and the Logistics Bureau.²²

3. The 70th Battalion of the 559th, also formed in May 1959, was sent to the panhandle of Laos. Its responsibilities were to transport weapons, ammunition, mail, and supplies by way of 20 stations along the Laotian trails into South Viet-Nam. The Battalion was also charged with guiding infiltrating groups, and with bringing the sick and wounded back to North Viet-Nam.²³

²⁰ See Table IV.

²¹ Interrogation of member of North Vietnamese border-crossing supply team. (Item 71)

²² Interrogation of two members of 603rd Battalion. (Item 72)

²³ Interrogation of a Senior Sergeant, Viet Cong, 5th Military Region, captured in Quang Ngai. (Item 73)

4. In June 1959, the 603rd Battalion was formed with a strength of 250 men. It was placed under the command of the Army General Staff and located near Quang Khe, a naval base in North Viet-Nam. It had the responsibility for clandestine maritime operations into South Viet-Nam.²⁴

5. In January 1960, a special training base for infiltrators became operational at a North Vietnamese Army base in Son Tay, northwest of Hanoi.²⁵

6. The 324th Division, the Nghe An Province, was ordered to begin training infiltrators early in 1960.²⁶

7. During this same period, the Xuan Mai Infiltration Training Center was set up southwest of Hanoi in the former barracks of the 228th Brigade. Once in operation, it apparently was capable of handling several 1000-man classes at one time.²⁷

8. Infiltration on a substantial scale began in 1959. At the end of 1960, Viet Cong Main Force strength was estimated at 10 battalions and 5,500 men. Regional and local guerrillas probably had a strength of about 30,000. By the end of 1963, Viet Cong Main Force strength had risen to 30 battalions and around 35,000 men. It is important to note that this figure represents only a fraction of the total Viet Cong political/military apparatus operating in the South. During this same period, infiltration is estimated to have proceeded at the following rates:²⁸

Year	Confirmed	Probable	Total
1959-60.....	4,556	26	4,582
1961.....	4,118	2,177	6,295
1962.....	5,362	7,495	12,857
1963.....	4,762	3,180	7,906
Total.....	18,798	12,878	31,676

9. Until late 1963, most of these infiltrators were ethnic Southerners, veterans of the Viet Minh with years of military experience and training, who had regrouped to the North. They were preponderantly officers or senior noncommissioned officers; through 1961, a high proportion of them were members of the *Lao Dong* Party. They assumed command positions in the Viet Cong forces and also carried out a wide range of political assignments. They provided, in sum, the core of the Viet Cong military and political apparatus.²⁹

10. Prior to 1961, the Viet Cong had equipped themselves from Viet Minh caches of old French and American weapons, by the local manufacture of crude hand guns and rifles, and by capturing weapons from South Vietnamese units. Hanoi became an active supplier of weapons in 1961. At that point,

²⁴ Interrogation reports of Viet Cong agents dispatched by maritime infiltration unit of Hanoi's Directorate, captured in July, 1961; intelligence summary based on interrogation of numerous Viet Cong agents, captured in June and July, 1961. (Items 75 and 76)

²⁵ Interrogation of a Viet Cong communications cadre. (Item 78)

²⁶ Interrogation of Viet Cong infiltrated into South Viet-Nam in 1962. (Item 79)

²⁷ Interrogation of former North Vietnamese Army officers who surrendered in 1963; interrogation of former North Vietnamese Army officer who surrendered in 1963; interrogation of an officer of 1st Viet Cong Regiment, who turned himself in in April 1963. (Items 80, 81, 83)

²⁸ See Table I for infiltration data since 1959; Table II for growth of Main Force strength.

²⁹ Summary of 19 interrogations of Vietnamese officers and senior noncommissioned officers who infiltrated into South Viet-Nam during the period 1959-1963; also interrogation of former North Vietnamese Army officers who surrendered in 1963. (Items G and 80)

modified versions of the French Mat-49 rifle began to appear on the battlefield. Their chambers had been reworked to use the standard Communist 7.62 mm. cartridge, a technique which required factory tooling.³⁰

On the political side, the evidence about North Viet-Nam's activities is as follows:

1. On September 10, 1960, a resolution was adopted at the Third National Congress of the *Lao Dong* Party which highlighted the dominant role the North would play and stated guidelines for what was to become the National Front for the Liberation of South Viet-Nam (NLF). The resolution stated: "In the present state, the Vietnamese revolution has two strategic tasks: first, to carry out the socialist revolution in North Viet-Nam; second, to liberate South Viet-Nam from the ruling yoke of the U.S. imperialists and their henchmen in order to achieve national unity and complete independence and freedom throughout the country. . . . To insure the complete success of the revolutionary struggle in South Viet-Nam, our people there must strive to establish a united bloc of workers, peasants, and soldiers and to bring into being a broad national united front directed against the U.S.-Diem clique and based on the worker-peasant alliance."³¹

2. On January 29, 1961, Hanoi announced that the National Front for Liberation had been formed the previous month, on December 20. The principal function of the Front was to conduct overt propaganda campaigns. Even so, the Front committee leadership has included *Lao Dong* Party agents who directed the work.³² One high-ranking member of the Front is apparently Major General Tran Van Tra of the North Vietnamese Army, a top Viet Cong commander and an alternate member of the *Lao Dong* Party Central Committee in Hanoi. He seems to use the alias of Tran Nam Trung.³³

3. Shortly after the foundation of the NLF, Hanoi announced that the insurgent forces in the South had been joined together in a "Liberation Army of South Viet-Nam" under the NLF. However, captured documents of 1962 state explicitly that "the present Liberation Army has been organized by the [*Lao Dong*] Party."³⁴ Other documents state that

³⁰ Based on a technical analysis done at the John F. Kennedy Special Warfare Center, Fort Bragg, North Carolina, in November, 1965.

³¹ Resolution of the Third National Congress of the *Lao Dong* Party, September 10, 1960. (Item H) It is sometimes alleged that the NLF had already been formed as early as March of 1960, in the southern tip of South Viet-Nam. However, if this had been so, it would surely have been enormously to the advantage of Hanoi to endorse the existence of a truly southern organization. Instead, the Resolution of September 1960 clearly speaks of future creation of an NLF, and the January 1961 announcement in Hanoi clearly states that such an organization was established, in Hanoi, in December of 1960. The allegation that there was any pre-existing NLF, formed in the South, has no evidence other than obviously self-serving later statements of NLF spokesmen abroad, and must, on any fair reading of the evidence, be dismissed as a myth.

³² Interrogation of cadre from Western Region Committee, captured in 1962; document turned in by a Viet Cong deserter who subsequently led GVN forces to a buried cache of Communist documents on training and propaganda. (Items 40 and 41)

³³ Interrogation of Le Xuan Chuyen, former operations officer of the Viet Cong 5th Division, deserted in August, 1966; background information on Le Xuan Chuyen. (Items 56 and 110)

³⁴ Training bulletin, written in 1962 and captured in November, 1963. (Item 38)

"the Liberation Army is . . . an instrument for the Party . . . for the Liberation of South Viet-Nam and the reunification of the Fatherland."⁴¹

4. In January, 1962, Hanoi Radio announced that a conference of "Marxist-Leninist" delegates in South Viet-Nam had organized a "People's Revolutionary Party" (PRP), which had immediately "volunteered" to join the NLF. However, documentation shows that in Hanoi's own words, "The People's Revolutionary Party has only the appearance of an independent existence; actually, our party is nothing but the Lao Dong Party of Viet-Nam, unified from North to South, under the direction of the Central Executive Committee of the Party, the chief of which is President Ho."⁴² The PRP's Central Committee was later stated to comprise of 30 to 40 high-ranking Communists, with the size and composition of the committee varying from time to time as members rotated to and from the North and between regions of South Viet-Nam.⁴³

5. Within this Committee, the real decision-making power lies in a select group of its highest ranking members, a standing committee known like its forerunner of the 1950's as the *Trung Uong Cuc Mien Nam*, or Central Office for South Viet-Nam (COSVN). The new COSVN was apparently formed in Hanoi after the *Lao Dong* Party Congress of 1960.⁴⁴ At that time, several Southern and Central Vietnamese were chosen to organize the COSVN, and were elevated to membership in the *Lao Dong* Central Committee. Since 1965 and perhaps earlier, COSVN and its military committee have been heavily weighted with North Vietnamese general officers. Political and military directives for the conduct of the war, captured by allied forces in South Viet-Nam, have consistently issued from Party and military organs and not from the NLF.⁴⁵

6. Hanoi has tried to conceal its role in the political military campaigns in the South. A Southern party unit was reprimanded for copying and distributing a message from the North Vietnamese Ministry of Public Health to the party medical section in South Viet-Nam; this was considered a violation of party "secrecy regulations."⁴⁶ A party letter states: "The Central Party Committee directs that propaganda should rather praise nationalism, patriotism, revolutionary heroism and the role of the National Liberation

Front, indoctrination and propaganda referring to Uncle Ho, Party, class struggle, etc., should be conducted orally within internal organizations and among the people only."⁴⁷ Further, a recently captured cadre notebook for late 1967 indicates that: "The Central Headquarters of the [*Lao Dong*] Party and Uncle [Ho Chi Minh] have ordered the [*Lao Dong*] Party Committee in South Viet-Nam and the entire army and people of South Viet-Nam to implement a general offensive and general uprising in order to achieve a decisive victory for the Revolution within the [1967] Winter and 1968 Spring and Summer. . . . The above subject should be fully understood by cadre and troops; however, our brothers should not say that this order comes from the Party and Uncle [Ho Chi Minh], but to say it comes from the [Liberation] Front."⁴⁸

The evidence on both the military and political side leads to the following conclusions:

1. From 1959 onward, Hanoi established an extensive organization for the training and infiltration of personnel, and at a later point major equipment, into the South.

2. The personnel infiltrated from the North between 1959 and 1963 provided the core and cutting edge of the Viet Cong military and political apparatus.

3. Hanoi established, from the outset, firm control over the direction and policy-making structure of the whole campaign against South Viet-Nam.

4. The National Liberation Front was established, in Hanoi, in December of 1960 in order to give the appearance of local leadership. In fact, the NLF has never been in charge of the political and military conduct of the war. The covert nature of the total apparatus, and the desire for outward appearances that it was totally indigenous to the South, did contribute to its ability to attract and hold local support in South Viet-Nam.

5. The evidence suggests that Hanoi hoped to avoid overt intervention in this period and was seeking to overthrow the Saigon Government and set the stage for unification through the Viet Cong, with only leadership and control from the North.

D. Expansion of the war, 1963-65

The period from late 1963 to the end of 1965 is in some ways the most intriguing period of the current war. During those two years, which witnessed the downfall of the Diem regime, great political instability in South Viet-Nam, and an expansion of the war toward its current dimensions, both the United States and North Viet-Nam committed regular military units to the conflict. That Hanoi became overtly involved in the South during this period is generally recognized; exactly why and how is not so widely understood.

On this score, there is evidence to the following effect:

1. Hanoi probably took the decision to commit units of the North Vietnamese Army (NVA) to the South as early as December, 1963. This was shortly after the overthrow of Diem (November 1, 1963); when it became clear that the overthrow of Diem had not produced any significant defections to the Communist cause whatever, Hanoi simply changed its anti-Diem propaganda line and intensified the struggle. The 9th Session of the *Lao Dong* Party's Third Central Committee held a meeting in December and, ac-

cording to a captured document, "assessed the balance of forces between us and the enemy and set forth plans and guidelines to win special war."⁴⁹

2. Starting in early 1964, Hanoi began to develop its infiltration trails through Laos into an army-scale supply route, capable of handling continuous truck traffic to South Viet-Nam. A large group of North Vietnamese army construction battalions in at least three "Combined Forces" (Binh Tram 3, 4, and 5) was deployed in the area by 1964 to oversee the development of this roadnet.⁵⁰

3. Some regular NVA units are known to have begun preparing for infiltration as early as April, 1964. Several prisoners from the 95th Regiment of the 325th Division have reported that their unit was recalled in that month from duty in Laos. Back in North Viet-Nam, the 95th underwent special military and political training for operations in the South.⁵¹

4. Hanoi also began to form new regimental-sized units for dispatch to the South. One of these, the 32nd Regiment, was activated sometime in the Spring of 1964, with personnel drawn from a number of established units. Trained draftees were added from the Son Tay and Xuan Mai infiltration centers which were in operation by 1961.⁵²

5. In October, 1964, the first complete tactical unit of the North Vietnamese Army, the 95th Regiment, left the North. This was a new unit, with cadre drawn mainly from the 325th Division. It reached South Viet-Nam in December.⁵³ The 32nd Regiment left the North in September or October, 1964, arriving between January and March, and a second regiment of the 325th Division, the 101st, had left North Viet-Nam by December 1964. All of these dates of departure were prior to the beginning of U.S. bombing of North Viet-Nam in February, 1965. In short, the evidence does not support the claim, sometimes made, that the sending of regular North Vietnamese units was only in response to the U.S. bombing.

6. Between November, 1964, and the end of 1965, a buildup of 33 NVA battalions (about 10 regiments) took place in South Viet-Nam. Of these, about 3 NVA battalions (2,000 men) had arrived by the end of 1964. By the end of 1965, the NVA already constituted about 30 per cent of the total Main Force operating in South Viet-Nam.⁵⁴

The following inferences can be drawn from this evidence:

1. Hanoi probably became dissatisfied with the failure of the Viet Cong, by itself, to capture South Viet-Nam.

2. It therefore decided to provide the increment of strength necessary to ensure seizure and control of the South. NVA regular units were to be the means to this end.

3. The relatively slow pace of the buildup is probably explainable in terms of poor transport and logistics, and the belief that time was on Hanoi's side.

4. Far from triggering the regular North Vietnamese buildup, U.S. actions were in response to it: the bombing of the North and the introduction of U.S. troops all followed not only the earlier movement of men

⁴⁹ The Talk of General Vinh.

⁵⁰ Interrogation of a North Vietnamese officer of a support regiment who was responsible for the transportation of supplies from Cambodia, through Laos, to Route 96. (Items 100 and 101)

⁵¹ Interrogation in 1965 of four North Vietnamese Army soldiers of the 325th NVA Division. (Item 86)

⁵² Interrogation of a member of the 32nd Regiment, North Vietnamese Army, captured by South Vietnamese forces in November, 1965 in Pleiku. (Item 91)

⁵³ See Table III.

⁵⁴ See Table II for growth of Main Force strength.

⁴¹ "Regulations for the Party Committee System in the South Viet-Nam Liberation Army", a party document captured by the U.S. 173rd Airborne Brigade in March 1966. (Item 54)

⁴² Instructions from the Provincial Committee of the *Lao Dong* Party in Ba Xuyen to the Party's district committees concerning the formation of the new People's Revolutionary Party; dated December 7, 1961. (Item M)

⁴³ Interrogation of North Vietnamese Army Lt. Col. Le Xuan Chuyen, who defected in August 1966; states that the PRP is the same thing as the LDP and that the PRP directly controls the NLF. (Item 46)

⁴⁴ Intelligence summary on *Lao Dong* Central Committee membership in COSVN, from interrogation of a party cadre arrested in 1967. (Item 208)

⁴⁵ Interrogation of a Viet Cong officer who defected in the Spring of 1967; interrogation of Le Xuan Chuyen; document captured by U.S. 173rd Airborne in March 1966, entitled "Regulations for the Party Committee System in the South Viet-Nam Liberation Army", cited under Note No. 41; intelligence summary in *Lao Dong* Central Committee membership in COSVN, cited under Note No. 44. (Items 47, 48, 54, 208)

⁴⁶ Instructions to cadres, March 23, 1965, captured by the U.S. 503rd Infantry in September 1965. (Item 44)

and supplies from the North, but specifically came after regular North Vietnamese units had begun to be sent in quantity.

E. The current phase, 1965-67

The past two years, from 1965 to the end of 1967, have been marked particularly by major clashes between U.S. and NVA units, by the heavy bombing of North Viet-Nam, and by continuing efforts, thus far abortive, to negotiate a settlement of the conflict.

Here again, there is considerable evidence regarding North Viet-Nam's role in this phase of the war:

1. By early 1966, NVA units were described by Hanoi as "the organic mobile forces of South Viet-Nam."⁵⁵

2. By the end of 1967, NVA strength in South Viet-Nam had risen to the point where its units constituted at least 45 per cent of the enemy Main Force. If one includes the NVA personnel who are in Viet Cong Main Force units, North Vietnamese troops now account for more than 50 per cent of the Main Force total.⁵⁶

3. Dependence on logistic support from North Viet-Nam has increased commensurately. From aerial photography and pilot sightings, it is estimated that more than 300 trucks are operating on the infiltration routes in Laos alone during the dry season.

4. Since 1964, the Viet Cong Main Forces have been extensively re-equipped with the latest Communist Chinese and Soviet automatic weapons. In addition to small arms, the Viet Cong Main Forces and the NVA units are now supplied with Soviet and Chinese heavy machine-guns, mortars, and rocket launchers. Modern Communist firearms have also been supplied to some of the local forces, although French, American, and homemade weapons still figure in the guerrilla arsenals.⁵⁷

5. As a result of the large NVA presence in the South, it has become necessary to explain their role to the rural populace of South Viet-Nam. Communist political cadre are told to say that "we are backed up by a large war area which is the heroic socialist North Viet-Nam. It constitutes a major factor for success . . . North Viet-Nam is a large and stable rear area for South Viet-Nam and is providing us everything we need, including soldiers." Recruits from North Viet-Nam are described as having been "assigned to South Viet-Nam to liberate this part of the country. . . ." ⁵⁸

6. Although the COSVN Military Affairs

⁵⁵ "Letter of Division Party Committee to Youth Members", captured by USMC in Quang Tri in July, 1966. (Item 66)

⁵⁶ See Table II for growth of Main Force strength.

⁵⁷ See Table V.

⁵⁸ Document to serve as a guide for the cadre, Party members and others in answering questions likely to be asked of them, captured by the US 199th Infantry Brigade in February, 1967; also, document on "Guidance for Handling of Recruits", captured by US 25th Division in February, 1967. (Items 111 and 112)

Committee supervises both Viet Cong and North Vietnamese Army military activity, the North Vietnamese Army command in Hanoi has increasingly assumed direct control over military operations in the northernmost provinces of South Viet-Nam.⁵⁹

7. There is close consultation between Hanoi and COSVN before policy is decided, and the recommendations of the latter are influential. COSVN also has much leeway in applying the policy thus decided. But all basic matters are firmly reserved for direct decision by the *Lao Dong* Politburo—specifically including the nature and continuation of the war, the diplomatic program of the NLF, and the peace terms described in the public statements of the Front.⁶⁰ This can be vividly seen in the *Le Duan* letter and the talk of General Vinh, both of which lay down strategic and negotiating policies extensively with hardly a reference to the NLF. No one who reads these documents can have any doubt of Hanoi's control.

8. Thus, Resolution 12 of the Twelfth Conference of the Third Central Committee of the *Lao Dong* Party, passed in secret in December, 1965, required that the "buildup of all types of forces was to be accelerated and the pace of battle increased."⁶¹

9. Thus, Resolution 12 also laid down the line about the relationship between fighting and negotiating. According to *Le Duan's* report of it: "At present the U.S. imperialists . . . are trying to force us to the negotiation table for some concessions. . . [but] our strategy on negotiations must serve in a practical manner our concrete political aims. For this reason, the Party Central Committee has unanimously entrusted the Politburo with the task of carrying out the above strategy in conformity with the policy of our Party and on the basis of the situation between us and the enemy whenever necessary." ⁶² *The Talk of General Vinh*, discussing the same Resolution, reports the view of the *Lao Dong* Central Committee that "The future situation may lead to negotiations. . . while negotiating, we will continue fighting the enemy more vigorously. (It is possible that the North conducts negotiations while the South continues fighting, and that the South also participates in the negotiations while continuing to fight.) . . . We must fight to win great victories with which to compel the enemy to accept our conditions. . . we will take advantage of the opportunity offered by the negotiations to step up further our military attacks, political struggle and military proselyting."

The evidence for this phase of the war speaks for itself. It leaves no question but

⁵⁹ Interrogation of Viet Cong officer who defected in Spring of 1967 in which Viet Cong command organization in northern province of South Viet-Nam is discussed. (Item 47)

⁶⁰ Intelligence report on command relationships between *Lao Dong* Party and COSVN from an intellectual proselyting cadre arrested in Spring 1967. (Item 207)

⁶¹ *Le Duan* letter.

⁶² *Ibid.*

that Hanoi not only directs and controls the war in South Viet-Nam, but also plays the dominant role in the Main Force war.

CONCLUSION

The foregoing is intended as a meticulous summary of the releasable evidence of the North Vietnamese role in the conflict. While improved intelligence in the past two years makes it possible to document North Viet-Nam's role most completely for this period, the evidence appears conclusive that the North was the driving force in bringing about the conflict from 1959 onward and in raising it to its successive dimensions at all stages. Likewise, the evidence seems conclusive that Hanoi had every intention of taking control over South Viet-Nam by one means or another from 1954 onward.

Yet, this being said, it is important to add one final note. Although the evidence is substantial that native North Vietnamese and North Vietnamese-trained personnel, coming from the North, dominate the Communist apparatus in South Viet-Nam, one cannot preclude the possibility that individuals within the apparatus now question and may come to reject the line imposed by Hanoi and the *Lao Dong* party. Reconciliation of all elements within South Viet-Nam is the declared policy of the South Vietnamese Government, which seeks also a determination of the political future of the South under Constitutional processes. Even as the United States must remain committed to assisting in resisting and bringing to an end the aggression from the North, its ultimate objective must be that the people of South Viet-Nam be free to work out their own system without external interference.

TABLE I.—INFILTRATION OF PERSONNEL FROM NORTH VIETNAM, 1959-67 (1ST HALF)

Year	Confirmed ¹	Probable ²	Possible ³	Total ⁴
1959-60	4,556	26		4,582
1961	4,118	2,177		6,295
1962	5,362	7,495		12,857
1963	4,726	3,180		7,906
1964	9,316	3,108		12,424
1965	23,770	1,910	8,050	33,730
1966	44,300	10,500	30,000	84,800
1967 (1st half)	20,700	5,100	14,100	39,900
Total	116,848	33,496	52,150	202,494

¹ A confirmed unit/group is one which is determined to exist on the basis of accepted direct information from a minimum of 2 prisoners, returnees or captured documents (any combination), in addition to indirect evidence.

² A probable infiltration unit/group is one believed to exist on the basis of accepted direct information from 1 captive, returnee or captured document, in addition to indirect evidence.

³ A possible infiltration unit/group is one which is believed to exist on the basis of indirect evidence, even though no captive, returnee or document is available to verify the report or reports directly. This category was not listed separately before 1965.

⁴ The total does not represent all infiltration data on hand. Other information is held which, based upon the application of consistent criteria and the professional judgment of analysts, has been evaluated as insufficient to warrant inclusion in one of the above categories.

Note.—There is normally a long leadtime between the infiltration of a given unit or group and the collection of sufficient intelligence to confirm the fact and time of the infiltration. In 1967, the infiltration has continued at a very substantial rate, but it will be some months before comparable figures for the year can be compiled.

TABLE II.—EXPANSION OF COMMUNIST MAIN FORCE UNITS IN SOUTH VIETNAM

[End of year]

	1960	1961	1962	1963	1964	1965	1966	1967		1960	1961	1962	1963	1964	1965	1966	1967
Vietcong battalions ²		10	20	26	30	69	91	83									
Vietcong main force, local force strength ²	5,500	26,700	33,800	35,000	51,300	64,300	68,000	64,000	Strength of North Vietnamese Army units					2,000	26,600	46,400	54,000
North Vietnamese battalions					3	33	63	69									

¹ End of 3d quarter.

² These units do not include a substantial number of native North Vietnamese. Guerrilla forces

are not included in these figures. It is important to note that these figures for main force units represent only a fraction of the total strength.

TABLE III.—INFILTRATION OF NORTH VIETNAMESE ARMY REGIMENTS INTO SOUTH VIETNAM, SEPTEMBER 1964 TO JUNE 1967

Unit	Infiltration data			Number of prisoners on which confirmation based	Number of captured documents on which confirmation based	Total number of prisoners taken from each unit
	Dep NVN	Arr SVN	Strength			
95th Regiment	October 1964	December 1964	2,000	7	1	35
32d Regiment	September to October 1964	January to March 1965	1,800	4	4	53
101st Regiment	December 1964	February 1965	2,000	3	2	13
18th Regiment	February 1965	April 1965	2,000	5	2	43
22d Regiment	July 1965	September 1965	2,000	5	1	42
33d Regiment	do	October 1965	2,000	2	0	53
250th Regiment	do	do	1,000	2	2	13
6th Regiment	Unknown	do	1,500	7	1	18
21st Regiment	August 1965	do	2,000	7	3	37
66th Regiment	do	November 1965	1,500	6	1	34
18B Regiment	December 1965	February 1966	2,000	4	0	62
24th Regiment	January 1966	do	2,000	3	0	19
95B Regiment	December 1965	March 1966	2,000	2	1	17
141st Regiment	January 1966	do	1,500	6	1	10
88th Regiment	do	do	2,000	5	0	22
3d Regiment	February 1966	do	1,500	2	1	34
812th Regiment	June 1966	June 1966	1,500	2	0	15
90th Regiment	do	do	1,500	3	0	12
803d Regiment	do	do	1,500	2	0	7
165th Regiment	February 1966	July 1966	2,000	1	3	1
52d Regiment	March 1966	do	1,600	3	1	3
84th Artillery Regiment	do	August 1966	1,200	1	3	1
5th Regiment	Activated in SVN	February 1967	1,800	0	2	0
95C Regiment	August 1966	March 1967	1,550	1	2	1
29th Regiment	Unknown	April 1967	2,200	3	1	6
368B Artillery Regiment	do	May 1967	1,400	2	2	2
174th Regiment	January 1967	June 1967	2,000	2	2	10

TABLE IV.—ASSASSINATIONS AND KIDNAPINGS IN SOUTH VIETNAM

	1958		1959		1960	
	Assassi- nations	Kid- napings	Assassi- nations	Kid- napings	Assassi- nations	Kid- napings
January	10	25	10	17	96	37
February	36	5	11	6	122	72
March	26	43	31	21		
April	17	12	13	16		
May	13	5	16	22		
June	21	15	5	15		
July	11	24	16	22		
August	7	18	12	11		
September	8	24	22	34		
October	15	26	29	42		
November	8	19	35	189		
December	21	20	33	148		
Total	193	236	233	343		

1 Incomplete.

Source: Saigon Situation Report; January, 1960.

TABLE V.—COMPOSITION OF VIETCONG WEAPONS

[In percent]

	Chinese		Soviet		United States		French		Home-made and other	
	Chinese	Soviet	United States	French	Home-made and other	Chinese	Soviet	United States	French	Home-made and other
Vietcong main force:										
1963	13	2	40	39	6					
1964	28	4	38	25	5					
1965	38	5	35	17	5					
1966	51	7	24	13	5					
Irregular forces:										
1963	0	0	14	63	23					
1964	0	0	24	49	27					
1965	1	0	35	37	27					
1966	3	0	38	32	27					
Total (main force and irregular):										
1963	7	1	28	50	14					
1964	15	2	32	36	15					
1965	21	3	35	26	15					
1966	29	4	30	22	15					
1967 (mid)	35	6	26	18	15					
North Vietnamese Army:										
1963	0	0	0	0	0					
1964	0	0	0	0	0					
1965	90	8	0	0	2					
1966	80	18	0	0	2					
1967 (mid)	80	18	0	0	2					

Source: Defense Intelligence Agency report, July 1967.

AUTHORITIES CALLED ON TO MAINTAIN LAW AND ORDER DURING POOR PEOPLE'S MARCH ON WASHINGTON

Mr. HICKS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. HICKS. Mr. Speaker, we are at the eve of the much-publicized Poor People's March on Washington. I am very much concerned about what the next several days hold for us here in Washington, D.C., and what the next

several months hold for us throughout America.

Thousands of poor people are to begin arriving in the next day or two in a massive effort to direct the attention of their country, and particularly the attention of their Congress, to their plight.

This is all to the good. This is exercising their constitutional right of petition. This is the way all of the tremendous changes that are taking place should be handled—through the legally established institutions.

In concept, the Poor People's March is in the best American tradition.

It is the possibility that they will not remain strictly within their concept of nonviolent petition that worries me.

That, and what we do about it if they resort to violence.

I have, Mr. Speaker, a voting record in Congress which the Americans for Constitutional Action rates as zero and the Americans for Democratic Action rates as 93 out of a possible 100. This, I believe, demonstrates that I have strongly supported the programs which will help these people.

This year alone, Mr. Speaker, we are putting some \$37 billion into our cities in 100 or more programs, and most of it will help the urban poor. Other billions will help the rural poor.

I am concerned about their desperate situation. I extend my sympathy and my hand to them in the best way I know

how, that is, by taking action in this House to help the poor out of their poverty and the uneducated out of their ignorance and the jobless into jobs and the hopeless into hope for themselves and their children.

But I cannot tolerate violence, on their part or on anyone's part.

I can well understand their frustrations, but I cannot tolerate their violence. I can understand their anger, but I cannot tolerate their violence.

I call on the authorities here who are responsible for maintaining law and order to act swiftly and decisively to put down any violence at its earliest beginning. And I stress the word maintain, for what I want to see is maintenance of law and order, not restoration of law and order after violence has run rampant as it did here last month.

It took the entire Washington police force and 14,000 troops to restore order after that orgy of destruction and death. If it takes 14,000 troops to maintain order during the Poor People's March, I would hope we are wise enough and strong enough to have those troops where they will do the most good at the right time.

What is done here, if violence occurs, could very well become the pattern for coping with outbreaks of violence in other American cities. If we hesitate, others will hesitate in the face of violence. If we act swiftly and firmly here, others will act swiftly and firmly.

We are at the turning point right now, Mr. Speaker, I am convinced of that. What happens here in the immediate future is likely to determine what happens to our country. We can decide in the next several days whether we will have law and order, or whether we will have burning and looting and destruction and death and insurrection throughout America.

Just as I have voted for the poor people throughout my career in Congress, I now vote for the maintenance of law and order among them—and by whatever means necessary.

KING MURDER HATCHED ABROAD?

Mr. ICHORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

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

There was no objection.

Mr. ICHORD. Mr. Speaker, the Washington Star carried a very interesting article by columnist Carl T. Rowan yesterday in which he comments upon the growing possibility that Martin Luther King was assassinated by a hired killer in a plot which involves Cuba and Red China. There has been considerable evidence uncovered which does give credibility to this theory. Certainly, the enemies of this Nation could have taken few courses of action that would have caused this Nation more trouble and chaos. If the killer were James Ray, he must have been a hired killer. An escaped convict, under constant threat of apprehension, would not be a logical person to

carry out a racial killing. There is very little doubt that Cuban money has been coming into the country to finance left-wing activity. In 1964 the House Committee on Un-American Activities was able to trace approximately \$20,000 cash coming from a bank in Mexico to finance travel to Cuba by persons associated with the Progressive Labor movement. This is a group that has been quite active in fomenting strife throughout the Nation.

As a member of the House Committee on Un-American Activities investigating the extent of subversive influence in riots throughout the Nation, I have become increasingly concerned about the President's Riot Commission ignoring or playing down the very important part played by radical revolutionaries, some of whom were local residents and others who came from the outside. This is particularly true of the Newark riots where a local poverty program office was used for the purpose of printing propaganda leaflets designed to foment discontent and violent reaction. An investigator of the Newark police force has testified before the committee that agitation by revolutionaries was one of the primary causes of the Newark riots.

Mr. Speaker, I include Mr. Rowan's article in the RECORD at this point, followed by an article from the Time magazine of May 10, 1968, setting forth a theory of Truman Capote:

KING MURDER HATCHED ABROAD?

The entire U.S. intelligence apparatus, including the military and the Central Intelligence Agency, has now become involved in the investigation of the murder of Dr. Martin Luther King.

Evidence gathered by FBI agents in one of the most massive probes in the nation's history has forced serious investigation of these possibilities:

1. That James Earl Ray, the alleged assassin, was the hired killer in a Cuba-Red China plot.
2. That the "assassin squad" of the Soviet secret police was somehow involved in the plot.
3. That Ray was hired indirectly by certain black nationalists who paid him with money made available by foreign sources.

The FBI has had as many as 2,000 agents working at one time, in cooperation with hundreds of local policemen and other U.S. intelligence agents, to track down every lead—including the above possibilities that the assassination was plotted with the intention of creating internal chaos in the United States.

It should be emphasized that the dominant theory—and hope—among those directing the investigation is still that the killer was a loner who murdered King out of his own crazy, racist views.

But this theory loses supporters as each day goes by without agents turning up any trace of Ray, who is linked to the murder and murder weapon by fingerprints and ballistics data.

FBI agents believe he no longer could get food and drink for so long a period in this country without being detected in the massive day-and-night search that is under way.

This point, added to the now known fact that Ray had plenty of money, has given credibility to the theory that King's assassin was a hired killer.

A growing fear in FBI circles is that the killer was given \$10,000 in advance to murder King with a promise of much more upon completion of the job. When he returned to his U.S. racist employers for the final payoff,

the theory goes, he was slain and his body dumped where agents may never find it.

International intelligence agents have entered the investigation, however, because of Ray's mysterious trips to New Orleans—and certain of the suspects trips out of the country. The FBI reportedly has pinpointed Ray's movements even to knowing which prostitute he spent which night with in certain countries, but it has not yet produced meaningful evidence of an international plot.

But there is deep suspicion of a Cuba-Red China plot. The assumption is that, if the Cubans had made arrangements to spirit their hired killer out of the United States, they very likely killed him and dumped him in the ocean.

Totally informed sources here say, however, that there is no evidence whatsoever of involvement by the communist party of the United States, or of any splinter group of U.S. Communists.

One source called the King killing "one of the most baffling cases in memory."

He also theorized that the slaying and escape were so smoothly organized that they tend to discredit suspicions of black Nationalist involvement—but that "every possibility must be checked."

The FBI is pouring vast amounts of manpower and money into the search because it knows its reputation is at stake. It also knows that if King's killer is not found all sorts of rumors will arise.

Some of those directing the investigation are openly hoping that it will turn out to be the work of one man. They fear the explosive repercussions if it turns out that the murderer was a hired killer for white U.S. racists—or for a foreign power.

THE ASSASSINATION ACCORDING TO CAPOTE

On the rare occasions when writer Truman Capote agrees to submit to a television interview, it is usually because he has something that he wants to say. Last week, when he appeared (for the first time) on Johnny Carson's *Tonight* show, he wasted little time in getting to the point. "I have a theory," announced the author of *In Cold Blood*, "about the murder of Martin Luther King."

So, of course, does almost everybody else, but Capote's credentials make him worth listening to—wild though his theory may be. The FBI, he says, is looking for the wrong man. James Earl Ray, alias Eric Starvo Galt, was indeed in on the assassination plot—which Capote believes was carried out by "leftists, not rightists," for political gain. Ray did not, however, kill Martin Luther King. "I have studied his record very carefully, and in my experience with interviewing what I call homicidal minds [Capote has talked at length with 100 murderers in the past nine years] he's simply a man not capable of this particular kind of very calculated and cruel, and exact and precise kind of crime."

In Capote's reconstruction of the crime, in fact, Ray's only function was to throw the FBI off the assassin's trail, first by assuming the name of Eric Starvo Galt ("My theory is that there are two Eric Starvo Galts"), and finally by planting his fingerprints on the gun that was later to be used for killing King. "This was a setup," Capote believes. "The central factor of what happens is that, after the assassination, this assassin rushes out of the rooming house, and what does he do? He does a very amazing, unusual thing. He takes a suitcase and very carefully props it up in front of a store. And in this suitcase there is a shotgun, very carefully left. And what is on it is Mr. James Earl Ray's fingerprints."

And where was Ray at the time? "Dead." Capote believes he was killed "and disposed of" at least ten days before the assassination. "He didn't quite understand," said Capote with a grimace, "what his part in the plot was going to be."

CONGRESSMAN CHAMBERLAIN REPORTS FREE WORLD SHIPPING TO NORTH VIETNAM CONTINUES TO INCREASE

Mr. CHAMBERLAIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

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

There was no objection.

Mr. CHAMBERLAIN. Mr. Speaker, as we hopefully await further developments on the diplomatic front, the war in Vietnam continues, and so should our concern about the enemy's sources of supply which permit this tragic conflict to be prolonged.

This past April, there arrived in North Vietnam, 13 more ships flying free world flags, according to information just made available to me by the Department of Defense. These included one Greek, one Singapore, and one Lebanese, and 10 British ships. This makes a total of 43 free world arrivals so far during 1968, representing a potential cargo capacity of over 285,000 tons. This is more than double the first 4 months of 1967, when there were 19 arrivals representing some 127,000 tons.

North Vietnam attaches great importance to this free world help but the administration finds it easier to try to ignore it than to stop it.

Again in April I am advised that strategic goods were transported to North Vietnam in ships flying flags of free world nations, and in increasing amounts. Still all this goes on as it has for months on a business-as-usual basis, almost as if there were no war at all. As the captain of a British-flag freighter recently told a reporter in Haiphong, whenever he sights any U.S. Naval vessels:

We just put up the ship's call sign and the British ensign . . . nobody pursues the matter any further than that actually.

And so it goes on. The statistics I have cited may seem rather cold and remote, failing to convey the importance of this free world source of support for the Hanoi regime. However, we have fresh evidence of just how much the North Vietnamese value this aid as well as their interest in boasting about this trade to the American people.

On April 19, 1968, millions of Americans, I am sure, watched CBS correspondent Charles Collingwood's televised report on his visit to North Vietnam between March 29 and April 5. In his commentary Collingwood stated that he was only permitted to bring back film of what the North Vietnamese wanted him to bring back. He also indicated that he was not allowed to bring his own cameraman or even to do all of his own interviewing. Instead the Hanoi Government saw to it that Collingwood was "assisted" in his search for truth by photographers and a journalist of proven reliability in terms of North Vietnam's own interests. In view of this meticulous news management, it is all the more significant that one of the major film segments, approved by Hanoi for distribution in the United

States, dealt with the matter of free world shipping to North Vietnam. With unmistakable intent two British-flag vessels were shown with a good closeup shot of their names—the *Androwan-Gibraltar* and the *Pundua-London*. The latter's captain, W. G. Ogilvie, was then interviewed at some length by Wilfred Burdett, who was identified by Collingwood as "an Australian journalist who usually writes for Communist papers and is a frequent visitor to North Vietnam." In other words Collingwood was not himself permitted to interview the captain. It is clear therefore that the Hanoi regime attaches great importance not only to the goods that these ships bring but to the considerable propaganda value of having free world flag vessels steaming into their ports with help for their effort.

The State Department's response to

all this sordid business seems to be only more unconvincing attempts to play down the problems. Secretary Rusk, for example, told the Senate Committee on Foreign Relations on March 11, 1968:

The trade between North Vietnam and the Free World is very small indeed and has been rapidly diminishing.

As I have just pointed out, free world-flag ship traffic during 1968 has been increasing, not diminishing. Regardless of whether these ships carry free world or Communist goods the fact remains that they are a significant factor in North Vietnam's supply lines, a fact the Secretary chose to obscure.

The importance of this free world traffic is clearly reflected again by the fact that it constitutes more than 25 percent of the total number of merchant ship arrivals in North Vietnam so far this year, as the following chart indicates:

MERCHANT SHIP ARRIVALS IN NORTH VIETNAM BY FLAG OF REGISTRY

Date of arrival	Free world	U.S.S.R.	East European	Chinese	Total
1967					
January.....	6	16	4	11	37
February.....	5	24	3	10	42
March.....	3	23	4	12	42
April.....	5	18	4	10	37
May.....	9	18	2	10	40
June.....	11	8	4	11	34
July.....	5	10	2	5	22
August.....	6	12	1	4	23
September.....	7	8	2	8	25
October.....	6	13	1	6	26
November.....	5	15	1	5	26
December.....	10	16	1	5	32
Subtotal.....	78	181	29	97	385

	Free world	U.S.S.R.	East European	Chinese	Cuba	Total
1968						
January.....	10	20	3	11	2	46
February.....	8	14	7	7	2	29
March.....	12	20	3	8	2	43
April.....	13	18	1	7	2	39
Total.....	43	72	7	33	2	157

Our fervent hope for a negotiated peace should not permit our resolve to weaken. We still have over a half million servicemen in Vietnam who are making great sacrifices for their country. We owe

them our best efforts. The administration must do more to prevail upon our so-called friends to stop carrying supplies to the enemy.

1968 FREE WORLD SHIP ARRIVALS IN NORTH VIETNAM BY FLAG OF REGISTRY

	British	Cypriot	Italian	Singapore	Greek	Lebanese	Total
January.....	9	1	—	—	—	—	10
February.....	7	1	—	—	—	—	8
March.....	10	—	1	1	—	—	12
April.....	10	—	—	1	1	1	13
Total.....	36	2	1	2	1	1	43

SALUTE TO THE MARINE CORPS

Mr. TEAGUE of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

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

There was no objection.

Mr. TEAGUE of California. Mr. Speaker, I have received a letter from a constituent, Mrs. George Shaffner, of Ventura, Calif., that is quite unusual and which I wish to share with my colleagues.

Mrs. Shaffner's letter is in high praise

of the U.S. Marine Corps, particularly of its recruit training program and what it accomplished in the building of her son into "a full grown man in every sense of the word."

Under leave to extend my remarks in the RECORD, I am inserting Mrs. Shaffner's letter at this point:

MAY 3, 1968.

DEAR CONGRESSMAN TEAGUE: I'll bet this will be the most confusing complaint you have ever received.

My complaint is about my son, Pvt. E. D. Shaffner, U.S.M.C. What happened to my "Little Boy"? In four months I now have a full grown man in every sense of the word.

In November 1966, Eddie tried to join the

Army but he was rejected because of a physical disability. He was broken hearted. In November 1967, he went into the Marine Corps recruiting office and found out he could go into the Marine Corps if he would have surgery, which would be paid for by the Government at Balboa Naval Hospital. Ed enlisted and was sworn in on December 15, 1967. He underwent surgery the first week in January and waived the six weeks recuperation barracks and twelve days after surgery went into full unrestricted boot training. Ed graduated March 19, 1968.

Now back to my complaint. Where did the Marine Corps find the mould for the son they sent to me in place of my "boy".

I do believe that Drill Instructors should be turned loose on some of our kids when they are about thirteen years old. Only for about three months, that is all the time it would take. If the Drill Instructors in the Marine Corps can't take "boys" and make "men" of them, no one can. I guarantee it would cut juvenile delinquency 75%.

Ed has been taught to respect authority. I only wish I had had a set of their methods five years ago. Believe me I never knew you could absolutely demand and receive respect but I know it now.

Ed had some rough times and suffered a few *hard knocks*, but he learned by each one of them. When he came home on leave, I told him I could understand getting cussed and ridiculed but I couldn't understand the physical punishment and these are his exact words. He said, "Mother some times people can talk until they are blue in the face and it doesn't do any good, but this discipline is like teaching a baby, if a baby does something wrong where he can hurt himself, if you yell at him all of the time it won't do any good, but if you turn him up and give him a darn good spanking, then he is going to listen. In the Marine Boot training you not only learn by your mistakes, but by your buddies mistakes also." He was taught that the word "can't" meant "won't" and won't is disobeying an order. We have nothing but the highest respect for the Marines. So you see Mr. Teague, I do have a complaint. I did lose a "boy" but oh what a fine young man the Marines replaced him with.

I just thought you would like to know what a fine bunch of Drill Instructors there are in San Diego at the Recruit Depot. Namely: Sgt. N. E. Stottemyer, Sgt. R. L. Johnson, and Sgt. R. J. Caldwell, G. Co. Plt. 210, 2nd Btn. R.T.R. M.C.R.D., San Diego. They deserve a special award for each platoon they put through boot training. What courage and patience they must have to take a group of bedraggled, hateful, sissy, tough, know it all, lazy, but basically good boys and make them all equal, clean, neat, quiet, proud, polite, and respectful. I wish you were able to see a group go into boot and then not see them again until graduation day. You would certainly be proud not only of the boys, but their Drill Instructors too. They certainly know their job. When Ed left M.C.R.D. he didn't feel sorry for the new recruits he felt sorry for the D.I.'s.

Mr. Teague, I do hope you had time to read this letter and you weren't bored by it. I'm just so darn proud of what the Marines have done for and to Ed. In closing, I'll just say "Please disregard complaint."

Sincerely,

Mrs. GEORGE SHAFFNER.

THOMAS L. STOKES AWARD TO JOHN B. JOHNSON, ALAN EMORY, AND FRANK AUGUSTINE

Mr. McEWEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. McEWEN. Mr. Speaker, it is my distinct pleasure to advise my colleagues that the Thomas L. Stokes Award has just been announced, and the recipients are three fine journalists and an outstanding daily newspaper in my congressional district, the Watertown Daily Times. Receiving the Thomas L. Stokes Award will be John B. Johnson, editor and publisher, Alan Emory, Washington correspondent of the Times, and Frank Augustine, news editor.

Mr. Johnson, Mr. Emory, and Mr. Augustine are being honored for their excellent work in the field of conservation of natural resources, particularly with relation to the development and wise use of nuclear power in New York State.

The Thomas L. Stokes Award was established in the spring of 1959 by friends of the well-liked and respected Washington correspondent and Pulitzer Prize winner who died on May 15, 1958. The first annual award was given posthumously to Mr. Stokes on May 5, 1959. The late journalist was widely recognized for his efforts in the field of conservation of natural resources.

The Watertown Daily Times, always a strong public power advocate, opposed last year a move by private power companies to press for a plan under which only private utility companies would be permitted by the State to establish nuclear powerplants. The Times waged a well-documented editorial campaign to hold firm to a public power concept as administered by the Power Authority of New York State.

The three journalists, through their reporting, interpretive stories and editorials, told the successful history of a partnership of public and private power in New York State. The editorial campaign was well received in the State. The climax came last week when Governor Rockefeller recommended to the legislature that the State build a nuclear powerplant, thus upholding the State's fine record in this category.

It is certainly fitting that Mr. Johnson, Mr. Emory and Mr. Augustine tonight will receive the Thomas L. Stokes Award in a presentation by Marquis Childs, Washington bureau chief of the St. Louis Post-Dispatch.

Appropriate, too, is the fact the ceremony takes place on the shores of the St. Lawrence River, one of America's mightiest sources of power—harnessed and made available through the Power Authority of New York State.

WHO OWES WHOM?

Mr. FASCELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

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

There was no objection.

Mr. FASCELL. Mr. Speaker, recent internal developments in Czechoslovakia,

as reported in the press, appear to be most encouraging. The spirit of liberty, so long a heritage of that nation's brave people, is reasserting itself.

Certainly the U.S. Government will want to do all it can to encourage these liberalizing trends in Czechoslovakia and throughout Eastern Europe. Perhaps the time is coming when the President's proposal to build bridges to the East can be realized.

In connection with the seeming desire on both sides to improve relations between our two countries, I want to commend the Czechoslovakian Foreign Minister for recently calling attention to \$20 million in gold belonging to his country which the United States now has in its possession. As chairman of the House Government Operations Committee's Subcommittee on Legal and Monetary Affairs and as a member of the House Foreign Affairs Committee, I am hopeful that his mention of this gold indicates a new desire on the part of Czechoslovakia to reach a settlement agreement with the United States on international claims between the two countries. It certainly would benefit relations between our countries if such an agreement could be promptly worked out.

Mr. Speaker, the United States has long realized the importance which these unsolved payment claims play in relations between our two countries. We have, in fact, patiently awaited action on the part of Czechoslovakia to reach an agreement with us on payment of the more than \$282 million Czechoslovakia owes the United States as a result of World War I and II. Incidentally, I might mention that Czechoslovakia is presently overdue in its repayments to the United States in an amount totaling more than \$194 million.

In addition, it is my understanding that Czechoslovakia has nationalized an estimated \$40 million worth of American-owned property for which our citizens are also patiently awaiting reimbursement.

Mr. Speaker, I submit that the United States has shown admirable restraint regarding settlement claims and the Czechoslovakian Foreign Minister might well have taken this into account when he requested that the United States show its good faith by promptly returning this gold. Further, I submit that it is the United States which is due some good faith by Czechoslovakia. Perhaps the rush of events have obscured it, but the United States did make a proposal on claims settlements to Czechoslovakia in November of last year. Unfortunately, to date, we have not received a reply on our proposal. Clearly, the next step is up to Czechoslovakia and not to the United States.

The \$20 million in gold to which the Foreign Minister referred is held jointly by the United States, Britain, and France as a result of World War II. Britain and France have already given their consent on the returning of the gold.

I am sure, however, that the new, more liberal regime in Czechoslovakia, concerned as it is with the welfare of its

own individual citizens, will recognize that our Government's chief responsibility is to our own citizens. Further, I am sure that the new Government will undoubtedly understand that it would be irresponsible for our Government to agree to the release of the \$20 million in gold until our own patient citizens are given adequate assurances that the Czechoslovakian debt to us of more than \$320 million will be repaid.

Exact figures on Czechoslovakia's outstanding debt to the United States, including interest, are as follows:

World War I.....	\$275, 997, 024
World War II.....	6, 607, 972
Total	282, 604, 996

The amount of the debt and interest which is now overdue is as follows:

World War I.....	\$189, 642, 024
World War II.....	4, 660, 025
Total	194, 302, 049

GOV. LURLEEN BURNS WALLACE, 1926-68, GOVERNOR OF ALABAMA

Mr. RARICK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

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

There was no objection.

Mr. RARICK. Mr. Speaker, Alabama's first and only lady Governor, Lurleen B. Wallace, now rests in that peace this world cannot give or take away.

A gentle and gracious lady, Gov. Lurleen Wallace radiated goodwill and deep compassion for her fellow countrymen. Through her genuine charm she captivated the hearts of the people not only of Alabama but throughout the Nation.

Without rancor or malice toward anyone, she executed the duties of her office in a manner which reflected her personal dignity and high character.

Mrs. Wallace's unflinching courage, both in keeping the public trust given her and in facing a slow tortuous death, is inspirational.

In life, she walked by faith—not by sight—in obedience to our Lord. Now, at her passing, her source of strength must provide comfort to those who survive her.

My prayers are with her husband and her family. To the people of her State, her many friends and admirers who loved her so dearly, I offer my most profound sympathy.

Mr. Speaker, I ask that the news account of her career follow my comments.

[From the Washington Post, May 8, 1968]

GOV. LURLEEN WALLACE, CAREER MARKED BY STORY-BOOK RISE

Gov. Lurleen Wallace of Alabama, who succeeded her husband, George, in 1967 to become the Nation's only woman governor, died in her sleep of cancer early yesterday at the Governor's mansion in Montgomery.

Six months after her inauguration, Mrs. Wallace underwent the first of a series of operations for the malignancy she believed had been checked by nonsurgical treatment several years earlier.

In her final weeks, she spent little time in her office, and her chief aides attended to the administrative affairs of the state.

Mrs. Wallace campaigned without apology for her election as her husband's hand-picked successor to the office in which he could not legally succeed himself.

She was born in Tuscaloosa, where she graduated from high school at the age of 15. Waiting to become 18 so she could be eligible for nurse's training, she began clerking in a dime store, while taking a business college course.

She married Wallace in 1943, and she traveled with her husband during his Army Air Corps Service until he went overseas.

At one point, she set up housekeeping in a converted chicken coop because of the wartime housing shortage near military bases. Called affectionately by her father, "Mutt," the nickname followed her into the governor's mansion, first as Alabama's first lady and then as her husband's gubernatorial successor.

Mrs. Wallace, a 17-year-old dimestore clerk in Tuscaloosa when she married Wallace during World War II, was elected to succeed her husband as governor with the largest vote ever given a gubernatorial candidate in Alabama.

She enjoyed joking with her husband about counties she had carried which he had lost.

Wallace became her "No. 1 adviser" and made the major decisions after she took office. He worked from an unmarked office directly across the hall from his wife's office in the Capitol.

Though she lacked her husband's flair for off-the-cuff oratory, Mrs. Wallace was an effective speaker who spoke with poise and clarity.

Mrs. Wallace, who was 5 feet 2-inches tall and weighed barely 100 pounds, had brown hair, streaked with gray, which she had set at a local cut-rate "beauty college" once a week. Her clothes were neat and attractive.

In her four years as Alabama's first lady, Mrs. Wallace acquired new poise steadily. Long before her own candidacy, she attracted attention, for her social graces, her impeccable taste in clothes and the way she wore them.

She came to the governor's seat admittedly as her husband's "stand-in" and carried out his policies faithfully, but it was on her own initiative that Alabama's mental health facilities were expanded greatly in her short regime.

Her interest in this field was obviously whetted by the things she found in a tour of the State's homes for retarded children in the first few weeks of her governorship.

Surviving besides her parents and her husband are three daughters and a son. They are Mrs. James Parsons, of Birmingham; Peggy Sue, a 17-year-old Montgomery High School cheer leader; George Jr., 16 who attends the same school and leads a rock-and-roll band, and Janie Lee, a 6-year-old first grader at a Methodist Church parochial school.

Among her inaugural remarks in January of last year was her promise that "when there are challenges, we will meet them; where there are obstacles, we will surmount them."

Mrs. Wallace's personal challenge was the disease which claimed her life. It was a challenge she met bravely, but it was an obstacle she couldn't surmount.

Although her rise to the governorship was on the strength of her husband's popularity, and she carried out his policies faithfully while in office, Mrs. Wallace soon won a place of her own in the hearts of her constituents.

The bond between her and her constituents was strengthened by her long, poignant struggle against the cancer that took her life. In recent months, she received a steady stream of sympathetic messages from well-wishers in the U.S. and abroad.

Her body will be moved to the Capitol in a funeral procession tomorrow morning. It was to be removed Thursday afternoon for

2 p.m. services at St. James Methodist Church, with burial at Greenwood Cemetery in Montgomery.

NEW YORK CITY'S HOUSING CRISIS—THE NEED FOR A FEDERAL EXPEDITER

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. RYAN] is recognized for 20 minutes.

Mr. RYAN. Mr. Speaker, last April 3 I testified before the Housing Subcommittee of the House Committee on Banking and Currency in support of innovations in Federal Housing programs and a massive increase in the levels of existing programs. We need dramatic increases in expenditures for low-rent public housing and rent supplements, in the availability of low-interest mortgage funds both for moderate-income rental housing and homeownership. We need new programs to stimulate cooperative and condominium forms of homeownership for urban residents. In addition, I proposed modifications in the urban renewal program, more adequate relocation procedures, improvements in the public housing program, guarantees of adequate code enforcement, and other improvements in the Federal Government's effort to provide adequate housing for all Americans.

There is, of course, another level of government which is intimately involved in housing policy. The ultimate responsibility still falls upon local government. Urban renewal and public housing are channelled through agencies of local government. Local governments are responsible for the maintenance of the existing housing stock through the enforcement of health and safety codes. Rent supplements require the approval of local government. Much moderate income housing is furnished through the efforts of municipal government. And the new model cities program is largely administered by local agencies.

No matter how much Federal assistance is offered, it will not result in the provision of safe, sanitary, and attractive housing for our citizens without the best efforts of municipal governments as well.

The Nation's largest city is a case in point. New York City faces a massive shortage and an increasing deterioration in low- and moderate-income housing.

The New York City Planning Commission has estimated that about 1 million units out of some 3 million are substandard and in need of major rehabilitation or replacement. According to the 1960 census, New York City then had about 550,000 housing units which are "deteriorated, dilapidated, or lacking essential facilities." Another 100,000 housing units were seriously overcrowded. And conditions have worsened.

The present New York City administration promised to build at least 160,000 low- and moderate-income housing units between 1965 and 1969. This would barely keep up with the demand for new housing and for families relocated from demolished housing. More recently, in a report released in 1966 the Mayor's Task

Force on Housing chaired by Edward Logue recommended 45,000 new units yearly, or 180,000 over 4 years.

Despite the percentage limitations on public housing, and urban renewal funds available for any single State, the fundamental failure today is not a lack of Federal funds allocated to New York City. The Federal Government has offered more assistance than New York City has used. Today the failure to meet New York's massive housing crisis is the failure of the New York City administration.

As one who has repeatedly called for an expansion of Federal housing programs, I say this with considerable sadness. But the fact is that over the past 2 years, the New York City administration has failed to make full use of available Federal funds and programs to build new housing. It has failed to maintain present housing. It has accomplished less in housing than any recent administration in New York City.

In New York City 48.9 percent of all families have incomes within the public housing range, yet only about 7 percent now live in public housing.

Another 32.5 percent of New York City families have incomes that qualify them for subsidized middle-income housing, such as the Federal 221-d-3 or State and city Mitchell-Lama programs which offer low-interest, direct loans, coupled with limited profit and tax abatement to keep rentals moderate; yet such units have been built to provide for only about 3 percent of families who qualify for them.

There are 145,000 New York City families now living in low-rent public housing. Some 135,000 families are waiting to get in. Thus, for every family now in public housing, nearly one is on a waiting list.

New middle-income housing construction has an even poorer record; 85,000 units have been built under the city and State Mitchell-Lama programs since the programs began in 1955. And construction for only 394 Mitchell-Lama units was started in 1967. As of January 1968, only 1,430 middle-income units had been built under the Federal 221-d-3 program.

Thus, there is a great need for more low- and moderate-income housing in New York City. Any city administration has two clear responsibilities: first, it must take advantage of subsidized programs to generate new housing, which in New York includes public housing, rent supplements, Federal section 221-d-3 and 202 programs, urban renewal generally, and Mitchell-Lama, and redevelopment and limited dividend companies; secondly, it must maintain and improve the existing inventory of housing. This is accomplished through enforcement of maintenance codes, and through rehabilitation efforts under various Federal programs. In low- and moderate-income housing, both code enforcement and new construction depend upon the efforts of the city as much as upon the existence of adequate Federal programs.

Let us look at New York City's performance in the provision of new housing.

In 1965 Mayor Lindsay published a formal white paper on New York City's

housing crisis. In the white paper he pledged to add 160,000 new units to city housing between 1965 and 1969: 50,000 low-rent public housing units, 50,000 low-rent units built privately with rent supplements, and 60,000 middle-income units under city and State limited profit or Mitchell-Lama programs. In 1967 certificates of occupancy issued for new construction were the lowest number since 1948, except in 1954: 1967, 22,900; 1954, 22,300; 1948, 20,150. The average number of certificates of occupancy for the 1962-65 period was 52,000 per year, or more than double the 1967 rate.

Low-rent housing is at the base of our shortage.

Although the city administration promised to build 50,000 low-income units over 4 years, it started construction for only 5,068 during the 2 years, 1966 and 1967.

Although funds are available, public housing construction has slowed to a rate of about one-third that of the previous administration.

Over the last 2 years the number of low- and middle-income apartments built has barely exceeded the number demolished, abandoned, or declared unfit for human habitation.

Although the city has had authority for more than a year to lease 1,500 units for low-rent public housing, it has leased only 510 units, of which 421 are occupied.

In 1965 Congress appropriated new funds for public housing. New York City was authorized to build a total of 28,000 units over the following 4 years.

The Federal Government has been prepared, and waiting, to accept and approve plans for 15,000 units during 1966 and 1967. Yet only about 6,700 have been approved.

From 1962 to 1965 the increase in the total number of occupied public housing units averaged 7,000 a year. For the last 2 years, the average increase in the total number of occupied public housing units has not been 7,000 a year but only about 2,500.

In 1966 construction was begun on only 1,730. In 1967 the number was 3,338.

The situation in regard to middle-income housing is equally bleak.

Over the past 2 years, 15,754 units have been built through city and State Mitchell-Lama programs. In most cases, the city's principal function is to agree to tax abatements. The State supplies financing.

Because of administrative ineptitude, builders have been turning away from the city Mitchell-Lama program to the State program, despite its higher interest rates. I understand that one of the most prominent developers of middle-income housing, the United Housing Foundation, will not do business under the city program. The notable middle-income project in the Bronx, Co-op City, is based not on a city, but on a State loan.

We can anticipate that the city will count the 15,372 units in Co-op City as a part of the new construction statistics for which it will take credit in 1968.

Perhaps the most dramatic of all housing is urban renewal. Unfortunately, the value of urban renewal as a device for slum clearance for the benefit of slum dwellers has been minimal. Little

public housing has been built on urban renewal sites. Most urban renewal in New York has been used for commercial, civic, or luxury redevelopment. The inclusion of the profit motive in the urban renewal concept has in most cases worked to the detriment of low-income families. In New York City urban renewal is just beginning to be utilized in hard-core slum areas for the first time.

As the well-known city planner, Charles Abrams, has said of the urban renewal program:

When the entrepreneurial and the general welfare are bracketed in the same legislation, it should not be surprising that the social purpose will be subordinated. It was.

At present, urban renewal as a program to aid lower income city dwellers depends largely on the improved production of low- and middle-income housing. Until tenants can be adequately relocated, urban renewal projects cannot move forward. Existing residents must be relocated, generally into new low- and middle-income housing.

Existing urban renewal projects in New York City will require the relocation of some 33,000 families. Relocation in New York is proceeding at the rate of about 1,000 families a year.

Urban renewal in New York City has slowed to a virtual standstill. The city now has almost \$200 million in unused Federal urban renewal funds. Eight urban renewal projects have been completed. Eight are in various stages of planning. Twenty-four are theoretically being executed.

By last November the urban renewal backlog became so huge that the Federal Government announced it would make no new money available until the city digested funds already committed to it.

Many months ago the city administration under pressure from the Federal Government announced that it would concentrate urban renewal projects in low-income areas. Three urban renewal projects were approved for core areas in 1966 and 1967. No construction has yet begun. The total backlog in these areas alone represents over \$83 million in Federal funds.

Two pending projects extend back 8 years, Brooklyn Bridge Southwest and Washington Market. In the case of the Brooklyn Bridge project, demolition began only last year.

That is the nature of the city administration's performance in meeting its responsibility to engender and construct new housing.

Why has this happened?

One reason is a major administrative reorganization of agencies dealing with housing. A "super agency," the Housing and Development Administration, was created, combining all housing functions except low-rent public housing. Unfortunately, little has been accomplished, and the combination of old offices into a new unwieldy agency has brought only delay.

Also the city administration has been plagued by personnel problems and resignations.

Third, the city administration has been preoccupied with experimentation and gimmickry. Certainly, innovation is an important function of government,

and some effort should be spent on experimentation, but not to the detriment of the major task of providing adequate numbers of housing units.

The problem is not a lack of dedication although there is always a need for more dedicated public servants; or is it an absence of Federal assistance, although I would be the last to maintain that Federal housing programs are adequate. It is simply a problem of administration.

I would suggest two actions which the Federal Government can and should undertake to alleviate New York's catastrophic housing dilemma.

First, the Congress should enact new housing programs better suited to the needs of our large cities, and should greatly increase the funding of programs that are working well. I have proposed such a program.

Second, in the case of critical administrative failure, such as New York City, the Secretary of Housing and Urban Development should appoint a Federal expediter to oversee the use of Federal housing programs, to insure that Federal funds are not wasted, squandered, or permitted to lie fallow.

If someone such as the Federal Regional Administrator, Judah Gribetz, were appointed in the nature of a Federal receiver, he could help New York City realize its goals.

This would serve a two-fold purpose. First, it would protect the legitimate Federal interest in the proper use of Federal funds; and secondly, it would help New York City straighten out its housing program so it would be in a position to compete with other major cities for what are unfortunately very limited Federal funds.

In addition, it would set a precedent which would be useful for the Department of Housing and Urban Development to use in the South and in suburbia where discrimination prevents the effective use of Federal funds to achieve balanced communities.

As long as we have a federal system of government, in which programs are funded and developed from Washington but depend on the effectiveness of local government for their implementation, adequate measures of supervision are as necessary as the development of sound programs.

At a time when we face an uphill battle in the Congress to increase Federal expenditures for housing, I profoundly regret that the city of New York is not efficiently utilizing the limited available funds to provide decent homes for her citizens.

Mr. Speaker, I include at this point in the RECORD a speech which I made on New York City's housing crisis on January 12, 1968, before the New York City League of Women Voters. I have reiterated in my remarks today many of the points which I made then. The statistics have been brought up to date as far as they could be ascertained.

NEW YORK CITY'S HOUSING CRISIS

(Address of Congressman WILLIAM F. RYAN before the New York City League of Women Voters, January 12, 1968)

In 1968 New York City faces a monumental crisis in housing. We have a massive

shortage and an increasing deterioration of low and middle income housing.

The New York City Planning Commission has estimated that about one million housing units are substandard and in need of major rehabilitation or replacement.

According to the 1960 Census, New York City has had about 550,000 housing units which are "deteriorated, delapidated, or lacking essential facilities." Another 100,000 housing units have been seriously overcrowded.

About 144,391 New York families are now living in low-rent public housing. About 135,000 families are waiting to get in. Thus, there is about one family on the waiting list for every family now living in public housing.

Mayor Lindsay in his campaign promised that the City would build at least 160,000 new low and middle income units between 1965 and 1969. This would only keep up. More recently, the Logue Report recommended a housing production of 45,000 units a year—or 180,000 over a four-year period.

In any consideration of New York City housing, we must be very careful to distinguish between promises and performance. It is easy to promise and to talk about the future. But, as I used to say with the last Administration, in political administration, the only future is now.

Do not tell me what you are going to do. Just tell me what you have done. Then you don't have to tell me anything. I know what you are going to do.

New York City cannot meet the housing crisis alone, with only its own resources and its own funds. We must have far greater Federal assistance—in public housing, urban renewal, model cities, rent supplements.

I will talk about Federal failures, and essential improvements and programs, in a few minutes.

But as of today, 1968, the fundamental failure is NOT the Federal government. For the Federal government has offered more assistance than the City has used. Today, the failure in meeting our massive housing crisis is the failure of the New York City Administration.

I say this with considerable unhappiness. As you know, I was one of the most severe critics of the last Administration for its failures to act in housing. Politics played no part in my call for action then. It plays no part now.

But the fact is that over the last two years, the City Administration has totally failed to use available funds and programs to build new housing. It has failed to maintain present housing. It has brought us face to face with disaster. For two years, it has acted not as an inspiration but as an undertaker for New York City housing.

In housing, a New York City Administration has a dual responsibility. First, it must engender and construct new housing. Second, it must maintain and improve existing housing.

Let's look at the first responsibility: to engender and construct new housing.

In 1965 Mayor Lindsay published a formal White Paper on New York City's Housing Crisis. In the White Paper, he pledged to add 160,000 new units to City housing between 1965 and 1969: 50,000 low-rent public housing units; 50,000 low-rent units built privately with rent supplements, and 60,000 middle-income units under City and State Limited Profit or Mitchell-Lama programs. In 1967 certificates of occupancy for new construction were the lowest since 1948, except in 1954: 1967—22,900; 1954—22,300; 1948—20,150. The average number of certificates of occupancy for the 1962-65 period was 52,000 per year, or more than double the 1967 rate.

Low rent housing is at the base of our shortage. What has the Administration been doing about low rent housing.

Although the Administration promised to build 50,000 low income units over four years, it has issued building permits for only about 4,000.

Although funds are available, public housing construction has slowed to a rate about one-third that of the Wagner Administration's.

Over the last two years, the number of low and middle income apartments built has barely exceeded the number demolished, abandoned or declared unfit for human habitation.

Although the City has had authority for more than a year to lease 1,500 units for low rent public housing it has leased only 995 units.

Statistics are dull, but only statistics give a picture of the deterioration in Administration and construction of low rent housing.

In 1965, Congress appropriated new funds for public housing. New York City was authorized to build a total of 28,000 units over the following four years.

The Federal government has been prepared—and waiting—to accept and approve plans for 15,000 units during 1966 and 1967. Yet only 4,263 have been approved.

From 1962 to 1965 the increase in the total number of occupied public housing units averaged 7,000 a year. In 1965 construction began on 3,363 low rent public housing units.

For the last two years, the average increase in the total number of occupied housing units has been not 7,000 a year but only about 2,000. In 1966, construction was begun on only 1,730. In the first eight months of 1967, the number was 1,933. According to the City Public Housing Authority, construction has started on only three projects in the past six months, totalling 1,588 units.

We have an equally vast shortage of middle-income housing.

Over the last two years, 18,000 units have been built through City and State Mitchell-Lama programs. In most cases, the City's principal function has been to agree to tax abatements. The State supplied financing.

Because of Administrative ineptitude, builders have been turning away from the City program to the State program, despite its higher interest rates. I understand that one of the most prominent developers of middle-income housing, the United Housing Foundation, will not do business with the City. The middle-income project, Co-op City in the Bronx, is based not on a City but on a State loan.

Perhaps the most dramatic of all housing programs, covering low and middle and luxury housing, is Urban Renewal.

But unfortunately, the future of Urban Renewal depends to a great extent on advances in construction of low and middle income housing. Until tenants can be adequately relocated, you can't move ahead with an urban renewal project. Generally, the tenants must be relocated into low or middle income housing.

Existing urban renewal projects will require the relocation of some 33,000 families. Relocation in New York City is proceeding at the rate of about 1,000 families a year.

Urban renewal has slowed to a virtual standstill. The City now has some \$200 million in unused Federal urban renewal funds. Eight Urban Renewal projects have been completed. Twelve are in various stages of planning. Twenty-two are theoretically being executed.

By last November, the Urban Renewal backlog became so huge that the Federal government announced it would make NO new money available until the City digested funds now committed to it.

Many months ago, the City Administration under pressure from the Federal government, announced it would concentrate Urban Renewal projects in low income areas. Eight Urban Renewal projects were approved

for "core" areas in 1966 and 1967. No new construction has yet begun. The total backlog in these areas alone represents over \$83 million in Federal funds.

Two pending projects extend back eight years, Brooklyn Bridge Southwest and Washington Market. In the case of the Brooklyn Bridge project, demolition began only last year.

That is the nature of the City Administration's performance in meeting its first responsibility in housing, to engender and construct new housing.

The situation in New York City is so critical that the Secretary of H.U.D. should appoint a Federal expediter to oversee the use of Federal housing programs in New York City, to insure that Federal funds are not wasted, squandered, or permitted to lie fallow.

If someone such as the Federal Regional Administrator, Judah Gribetz, were appointed in the nature of a Federal receiver, he could help New York City realize its goals. This would serve a two-fold purpose. 1. It would protect the legitimate Federal interests in the proper use of Federal funds, and 2. It would help New York City straighten out its housing program so it would be in a position to compete with other major cities for what are—unfortunately—very limited Federal funds.

In addition, it would set a precedent which would be useful for H.U.D. to use in the South and in suburbia where discrimination prevents the effective use of Federal funds to achieve balanced communities.

Now let's look at the second responsibility—the maintenance and improvement of the existing housing inventory.

With a massive shortage of housing, it is all the more important to enforce the housing and health codes and to ensure proper maintenance. Rent controls must be continued to keep rents and profits within reason. And because low rent units are in shortest supply, it is the low income tenant who is suffering the most from our million-unit shortage.

In 1965 the present City Administration spoke out on the need for enforcement and continued rent controls. The Administration pledged, for instance, to double the number of inspectors, to make better use of receivership and to strengthen rent controls. But the Administration has spent its time, apparently, on reorganization and not on enforcement. Even with reorganization, you can do a lot of enforcing in two years.

For eight months the City Administration postponed a Federal grant of \$4 million dollars for code enforcement. Under the program, low-interest loans are available to landlords for rehabilitation. Not one such loan has yet been approved.

In 1965, the present Administration quite correctly criticized the Wagner Administration for not making better use of receivership. Under the program, the City places badly dilapidated buildings in temporary receivership so they can be repaired or rehabilitated.

The last Administration repaired or renovated 115 buildings under the receivership program. The present Administration has processed only six in 1967. It has virtually refused to use the program.

Nearly a year ago, the City Administration announced the Receivership program was being discontinued in favor of a new program to turn deteriorated buildings over to non-profit managers or neighborhood cooperatives. Receivership ended. But nothing has taken its place for a year.

The so-called Landlord Repair Schedule Program is supposed to be cooperative rather than punitive. A landlord promises to make needed repairs. In exchange, the City refrains from taking him to court. Since January, 1966, only about 211 buildings have been repaired under the program. But countless

other landlords, who have broken the law, have been able to delay or escape entirely.

In one building with which I am familiar (209 West 100th Street), the landlord entered into a contract to make the necessary repairs. Nine months passed. The City has failed to take court action despite the default.

The City Administration has all but abandoned the Rent Escrow Program, under which rents were paid to the court which then could use the funds to make repairs.

The City has all but abandoned the Emergency Repair Program, which had been the most successful of the reconstruction efforts. Today, it takes days or even weeks for the City to authorize or implement repairs. Last summer, for instance, the City said a lack of hot water was not serious enough to warrant action under the so-called Emergency program.

In 1965, the present Administration said the number of building inspectors should be increased to 1200. In Fiscal 1965-1966, the Housing Division of the Buildings Department had a budget of \$5,440,894, and 517 inspectors. In the next fiscal year, which ended last June, the budget had increased 80 per cent, to \$9,025,093. The inspectors had increased 25 per cent to 654.

The City Administration has also all but abandoned cyclical inspections, under which all buildings in an area were periodically inspected. It still takes months to take a landlord to court. When he gets there, the average fines levied have decreased from about \$22 to about \$13.

And finally in rent controls, the present Administration has drastically weakened the whole program, driving out the middle class and permitting increases throughout the City.

Those who claim that rent controls discourage investment in real estate in New York should be reminded that the law permits landlords to apply for increases whenever their rate of return falls below eight per cent. During 1966 only 538 buildings showed they had not earned the legal rate of return. The landlords were granted rent increases.

Because of the critical housing shortage in the City, rents between 1961 and 1965, even with rent controls, rose twice as fast as the national average. During the last decade, rents in New York have gone up faster than any other major city, with the sole exceptions of Boston and San Francisco.

In 1965 the present Administration said that rent controls should not only be preserved, they should be "strengthened." John Lindsay said, "With no rent control or with the relaxation of controls, rents will shoot up. The slumlords will gouge the poor. The middle income tenant will be hit hard. As mayor, I will not allow these things to happen."

The decision to decontrol apartments renting for over \$250 and the agreement to increase rents after the strike last June threaten rent control with extinction.

Thus I think it is obvious, the City Administration has failed in housing—in new construction and in maintaining present housing. It has brought us face to face with a real housing disaster.

But in the present situation, the City's problem is not purpose. It is not intent or goals. It is not even a problem of imagination. The problem is simply Administration. The City is not doing the job.

How do you solve such a problem?

You don't solve it with reorganizations and more programs and promises and press releases. You can start solving it in only one way—with driving, determined, efficient Administration. That is what we must have if we are to meet the crisis before we are engulfed in the disaster.

Now we also need a lot more, of course.

The Federal government is not doing its part.

President Johnson asked for \$667 million dollars for the Model Cities program, which would develop all social and other resources as well as housing in deteriorating areas. Congress approved only \$310 million, an amount which could be absorbed in one section of New York City. As it is, New York can expect not much more than \$30 million in Federal Model City funds.

The Rent Supplement Program to help low-income families rent decent housing was also badly short-changed by Congress. President Johnson asked for \$40 million. The Congress approved \$10 million, which will provide 11,000 new units across the country. In New York City there are now only 2,067 rent supplement dwelling units under contract.

Another recent Federal program, 221-D-3, is of limited use to New York because of our high construction and land costs. The program provides low-cost loans on condition that apartments are built for \$17,500 dollars per unit or less in order to keep rentals low. But in New York attractive apartments cannot be built at these costs. Thus far, since the program began in 1961, only 1,430 units have been completed with another 2,650 under construction. I have suggested the Federal government subsidize the interest rate on the loans so large apartments can be built and rented within the middle-income range in New York City.

Our Federal government must soon begin to look realistically at our housing needs not only in New York City but all across the country.

Over the last few years, I have introduced legislation to increase the availability of public housing funds, to require more adequate relocation of persons displaced by Federal programs, and to prohibit construction of luxury housing with Federal funds.

I have introduced a measure which would raise the permissible per-room construction costs of public housing so that projects can be designed in something other than institutional architecture.

Let me touch on some other legislation which may be of interest.

One bill I have introduced would prohibit landlords who violate local building codes from taking advantage of tax depreciation allowances.

Another measure would expand the rent supplement program and permit local housing authorities to directly sponsor these projects instead of depending solely on private enterprise.

Last November, I introduced a bill to provide long-term, low interest loans so tenants could buy out a landlord who refused to maintain the building. As a cooperative, the tenants could make necessary repairs and renovation.

But I should like to emphasize that all the Federal programs, all the appropriated funds, and all the ideas and plans for housing depend, first and foremost, on Administration.

Today, in New York City, that remains our greatest lack, or greatest failure, and the greatest threat to any hope that we will avoid a housing disaster.

That is the challenge. Aristotle once said, the cities exist for "the sake of the good life and not for the sake of life only."

A \$5,000 TAX EXEMPTION ON RETIREMENT DAY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 10 minutes.

Mr. HALPERN. Mr. Speaker, it is extremely difficult for our older people, whose only income is their retirement pay, to try to make ends meet in these days of spiraling prices. Many of them are no longer able to work to earn extra

money, and unexpected expenses hit them particularly hard.

Very often, they find that after working all those years, the income they thought they would have to keep them comfortable, and allow them a few pleasures, has been reduced by inflation to a bare subsistence.

There is, presently, a provision in the Internal Revenue Code exempting from taxation whatever percentage of retirement pay the employee may have contributed to his pension plan while he worked. The purpose of this exemption is to prevent double taxation, since the employee, while he worked, paid tax on the full sum of his paycheck, before deductions were made for pension contributions.

Nonetheless, this provision is clearly inadequate to offset the inflation pinch on retired people living on fixed incomes.

This is because, in many cases, the bulk, is not all, of retirement fund reserves come from the employer, and these funds are completely taxable when received by the retiree. Government employees, whose pension plans generally require employee contribution, tend to be the exception rather than the rule. The net effect is that many retirees from private industry cannot take advantage of the existing exemption.

Therefore, I am introducing today a bill that would exempt from the Federal income tax the first \$5,000 of retirement pay, whether the employee had contributed or not. My bill would retain the employee contribution exemption, so that if a retiree's pension exceeded \$5,000, he could still exempt from the excess whatever percentage he had contributed, and thus avoid double taxation on that portion.

For example, a retiree receiving \$5,200 contributed entirely by his employer, would pay tax on \$200. A person receiving \$5,200 based on 50-50 contribution between himself and his employer would get the first \$5,000 tax exempt, and pay tax only on that 50 percent of the remainder contributed by his employer. In other words, on \$100.

I should point out that \$5,000 is not an unreasonable figure for tax exemption, whatever the type of pension plan. Most pensions pay considerably less. But even assuming a pension of \$5,000, I think everyone here would agree that when a person has worked and earned all his life, and has acquired a home, and a family and has developed a pattern of living commensurate with his earnings as a productive member of society and has assumed the normal, and often very substantial, obligations concomitant with his progress through life that \$5,000 does not go very far these days.

The people who would benefit from this legislation are not looking for a handout. They have worked steadily and faithfully for many years, or they would not be receiving pensions and annuities. They have helped to build society, and they have taken the trouble to make provision for themselves in later years. They certainly deserve to have some protection against the inflation that is cruelly diluting their only sustenance.

I urge every Member of the House to give this measure his full support.

COMMUNITY SERVICE OFFICER PROGRAM

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. GOODELL] is recognized for 10 minutes.

Mr. GOODELL. Mr. Speaker, today I have introduced the Community Service Officer Act of 1968.

This bill is yet another embodiment of the basic theme of the Republican-sponsored human renewal fund—prudent cuts or deferrals in low priority Federal spending coupled with a plowback of part of the savings into programs designed to meet the crisis in our cities.

Its purpose is quite simple, to encourage the States and their major municipalities to institute community service officer programs, primarily in the ghettos, as both community relations and as crime control measures.

Today, in the other body, my Republican colleague, Senator CHARLES PERCY, is offering an amendment to the omnibus crime bill, now under debate, which accomplishes precisely the same thing. We hope it is adopted. If it is not, the Senator from Illinois will introduce this bill in the other body, and we hope both Houses will act upon it promptly.

There is really no reason why we should not act promptly.

The community service officer concept is not new, nor is it controversial. It was first proposed by the President's Crime Commission in early 1967 and was again endorsed by the Commission on Civil Disorders a short time ago.

As conceived by both Commissions, the community service officer would be a frontline soldier in the war on crime. For the most part, as they see it, he would be recruited from among those who are presently ineligible for most police cadet training programs, currently the lowest tier of police enrollment.

This might mean waiving the usual high school diploma requirement or the absence of an arrest record.

At the same time, however, CSO's would be encouraged to achieve the basic educational requirements to make them eligible for later police cadet training.

CSO's could be issued uniforms or other insignia but not, of course, weapons, nor would they have the power of arrest.

Their functions?

They could walk beats in the neighborhoods where they live and are known and trusted. Our undermanned regular police forces are unable to do this now.

They could provide badly needed additional eyes and ears on the street to report crime as it happens or even to prevent crimes from happening.

They could serve as neighborhood grievance channels and contribute immeasurably to the improvement of lines of communication between police forces and the communities they serve.

They could serve as valuable sources of official information about rising tensions and impending civil disorders.

They could also provide a permanent "white hat" force and serve as officially recognized counter-rioters.

In short, the possible functions of a community service officer are virtually

without limit. The concept is eminently worthwhile.

What is the role of Congress in these programs? Put another way, what does this bill do to promote this eminently worthwhile concept?

The Community Service Officer Act of 1968 follows the thrust and language of the House-passed version of the omnibus crime bill. It provides Federal grants-in-aid to the States for the establishment and operation of community service officer programs.

We would authorize a modest appropriation of \$21 million for the first fiscal year of its implementation.

This is a separate bill with a separate appropriation. We propose this for the very practical reason that the needs of conventional law enforcement are going to be met first under the grant programs envisioned by the crime bill, and there simply is not going to be much left over for programs like this.

We are persuaded that the CSO idea has much merit. We believe it is in keeping with the philosophy that the real way to attack the urban crisis is to allow ghetto residents every opportunity to help themselves.

PREMISE TO CHAOS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from West Virginia [Mr. STAGGERS] is recognized for 5 minutes.

Mr. STAGGERS. Mr. Speaker, the city of Washington is about to receive an influx of visitors. It is expected to be a large organization. The length of stay is intended to be prolonged. The city should be prepared to receive them. It is not prepared.

What do I mean by this? Two things, in particular.

First, where does the city propose to put them?

There is no reliable estimate of the number expected. The preliminary wave may be 3,000, according to reports. Later many more may arrive.

Suppose a coherent group of business- or civic-minded individuals were coming to town. Let us say 3,000 delegates to a national convention of the BPOE. Arrangements would have been made for their housing accommodations months ago. The city's hotel and motor inn facilities would be taxed to the limit. Perhaps other visitors would be unable to find any accommodations. But the members of the convention would be reasonably sure of food and lodging and so on under pleasant and sanitary conditions. No danger to their health, or to the health of the city, would be posed.

But what we are looking forward to is not a convention of the BPOE. So far as is known, not one iota of preparation has been made for their living accommodations. It has been suggested that they put up, with their own resources, some sort of tent or shack city, on the Mall or on other Government property. It is not known whether or not they have the materials necessary for such construction, or the skills needed to put the materials together. No mention whatever has been made of sanitary provisions.

Mr. Speaker, it is possible that in an age when we know something about the problem of taking care of large numbers of people, even for a day, the city could await with unconcern such an invasion?

Recently some Federal and city officials were queried by a congressional committee on the matter of what living quarters were being planned by Government. If I understood correctly, these officials asked to be excused from committing themselves, thus leaving themselves free to meet conditions as they arise.

Such an attitude is inconceivable in a responsible public official. To me, it means one—or both—of two things. Either these officials have no slightest idea of where or how the visitors will live; or, they propose to let them live wherever they choose to live.

Mr. Speaker, the officials of this city would not permit you to hold a Sunday school picnic some Sunday afternoon without assurance of sanitary resources at the site.

In another and far more frightening respect, the city is not prepared for the coming visitors. These visitors, they state officially, are coming here to make "demands." Just what the demands are is not spelled out. They intend to stay until they get what they want. At the beginning, every attempt will be made to keep their behavior "nonviolent." If nonviolence does not work, other forms of protest must be resorted to, according to some who would like to see chaos in this Nation. It is specifically proposed that "sit-ins" of Government buildings and offices, obstruction of traffic on the highways, and especially on the bridges, would be useful forms of protests. Beyond that are veiled hints of more drastic measures.

It has been said that this march will be joined by extremists from all over the Nation, sooner or later. These extremists are dedicated to violence, and the Communists are always found to be where there are large disturbances. Whatever may be the disposition of the organizers of this march the extremists could take over. It is far too good a chance for them to miss.

During the riot-spawning days of last summer, in a speech in this Chamber, I called upon the executive branches of the Federal, State, and local governments to enforce existing law which prohibits civil disturbances. I contended then, and I contend now, that there is adequate law to take whatever steps necessary to stop riots. Executive officers all along the line take upon themselves a solemn oath to enforce the law. Their function is not to enact law, but to enforce it.

The Washington riot of a month ago was sudden and unexpected. The regular police force of this city was then, and will be in the foreseeable future, insufficient to cope with it. There is no excuse available for anything that may happen in the coming summer.

The officials here in Washington, Federal and city, have already supplied the formula for dealing with trouble. They say that as soon as an adequate force of Federal and federalized troops were de-

ployed in the city, the rioting was brought under control.

In the newspapers and over TV it has been reported within the last day or so that the police force on patrol is being increased by 20 percent, and further that National Guard and regular Federal forces have been placed on a standby basis near the city.

Mr. Speaker, it is not enough. A riot is much easier to prevent than to stop. Once the looting and burning starts, it will go on until somebody is hurt.

I therefore call upon the President and the Attorney General to put Federal troops within the city immediately, before our visitors arrive. The purpose is to protect the marchers as well as the citizens of this city. For surely if any violence begins, many people will lose their lives. It must be prevented. The military aspect of the situation is amply justified by the real emergency that exists.

Mr. Speaker, the citizens of that part of West Virginia which I have the honor to represent have part ownership of the city of Washington. The Government here is the joint property of all the citizens of the Nation. No one has the right to take that property and use it for his own purposes, no matter how defensible those purposes may be. Gentlemen of the executive department, from the President on down, I convey to you the demands of my constituents that you protect lives and property. And do it now.

THE HONORABLE ESTER SAVERSON

Mr. PRICE of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. PRICE of Illinois. Mr. Speaker, on Monday of this week I received news that the Honorable Ester Saverson, city commissioner, East St. Louis, Ill., passed away at the age of 62. I take this time to express my deepest condolences to the family of this fine man. Mr. Saverson was the first Negro city commissioner of East St. Louis; he was a major figure in the Democratic Party in the State of Illinois but most of all he was a good man and a good personal friend.

I knew Ester for over 40 years and worked with him through all those years on many programs in the interest of his people and the community. Our enduring friendship was based on mutual trust, integrity and honor. Ester's word was his bond. Commissioner Saverson distinguished himself throughout his public service career. He worked diligently and resolutely for the betterment of the whole community. He was a leader of the community, and was respected by everyone. Ester did not recognize the bipolarization of racial attitudes which afflicts many of our inner cities today. In his view, a man was a man, regardless of his race or creed.

Ten years ago he foresaw the chaos and problems the lack of employment would bring to our cities.

The family of Ester Saverson, the city of East St. Louis and the State of Illinois

have sustained a very sad loss. I have lost one of my best friends. He will be missed by his countless friends and associates.

BASEBALL'S 100TH ANNIVERSARY

Mr. PRICE of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. PRICE of Illinois. Mr. Speaker, yesterday I introduced a bill to provide for the issuance of a special postage stamp honoring the 100th anniversary of professional baseball which will be celebrated in 1969.

For a century, 1869 to 1969, millions of young and old, first in the United States and later in such widely dispersed and culturally distinct areas as Japan, Germany, and Africa have enjoyed the tense but quiet excitement of "America's national pastime." This sport along with those who have played it for a living have been excellent ambassadors of good will for our country throughout the world.

Indeed, the refrain "Take Me Out to the Ball Game" is worldwide, appealing to all ages and all groups in many nations.

For years the world and the Nation have watched each October during the fateful days of the world's series, to see if the league of Ruth, Gehrig, DiMaggio, Williams, and Mantle can best the league of the Dean brothers, Hornsby, Ott, Musial, and Mays.

When a sport such as professional baseball can draw such interest and attention throughout this country and the world for so many years and is thought of as the national pastime, it is indeed appropriate that baseball be accorded the national recognition inherent in the issuance of a commemorative postage stamp in honor of its centennial anniversary.

POTENTIAL FOR TRAGEDY IN POOR PEOPLE'S MARCH

Mr. MONAGAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. MONAGAN. Mr. Speaker, I have addressed a letter to the Department of Justice in which I pointed out the potential for tragedy in the Poor People's March currently heading for Washington. This action was essential because the frame of mind of some of the leaders of the march has been made clear by the fact that they have delivered tongue-lashings to Cabinet members and have by their conduct indicated a lack of respect for orderly government and its official representatives, and an absence of desire to find equitable solutions.

On April 11, 1968, following the costly riots here, I wrote a letter to President Johnson to protest the permissive action

of Federal authorities based on the theory that a little destruction or lawlessness is to be condoned in order to avoid greater trouble. At that time, I called for a firm and clear statement of intention that the Federal Government will enforce the law and use adequate force to protect the lives and property of all citizens.

I have had a response to that letter from Assistant Attorney General Fred M. Vinson, Jr., who agrees that—

Local authorities must not wait until the critical moment to alert . . . the National Guard—

And who also states:

It is our—

Justice Department—

understanding that the District of Columbia officials were quite prompt in considering the possible need for military assistance.

I have replied to Mr. Vinson that obviously what was required in this tense and dangerous situation was not to be "quite" prompt in "considering" the problems, but to be prompt in taking firm action to deal with criminality and the threat to public safety.

I am concerned about the dangerous implications of the Poor People's March on Washington and it is my hope that the responsible authorities are also concerned to a point of making adequate preparations for any emergency.

With your permission, Mr. Speaker, I include here the text of my letter of May 8, 1968, to Assistant Attorney General Vinson. I also include a copy of Mr. Vinson's letter of May 6, 1968:

MAY 8, 1968.

HON. FRED M. VINSON, JR.,
Assistant Attorney General,
Department of Justice,
Washington, D.C.

DEAR MR. VINSON: Thank you for your letter of May 6, 1968 which replies to my letter of April 11, 1968 to President Johnson in which I expressed deep concern about the recent rioting and looting in the District of Columbia and which criticized dilatory enforcement by local authorities and a misconceived policy on the part of the Department of Justice.

Your letter agrees that local authorities "must not wait until the critical moment to alert . . . the National Guard." But you say that it is the "understanding" of the Department of Justice that "District of Columbia officials were quite prompt in considering the possible need for military assistance."

Obviously, what was required in this tense and dangerous situation was not to be "quite" prompt in "considering" the problem, but to be prompt in taking firm action to deal with criminality and the threat to public safety.

Nearly 24 hours elapsed between the time when serious disorder broke out in the District on Thursday evening, April 4, and the time when the troops were called out late on Friday. In the meantime, we had the incongruous situation where Marines in the barracks on 8th and I Streets, S. E. were on the alert but uncalled while looters were doing their work across the street.

I write this letter not to indulge in incrimination nor to rake up what is past but because I am concerned about the dangerous implications of the projected Poor Peoples March on Washington. Already the temper of some of the leaders has been made clear by the fact that they have "delivered tongue-

lashings" to Cabinet members and have by their conduct indicated a lack of respect for orderly government and its official representatives and an absence of desire to find equitable solutions. Clearly, the poor of this demonstration have the assistance of energetic organizers and public relations people as recent proposals to erect shanties on the Mall opposite the Smithsonian attest. What other, more dangerous, proposals they may be considering, no one knows. The important need for the Department of Justice and the Executive Branch now is to make the decisions and plan the policies with local officials which will preserve the integrity of the District and protect its people and their property.

The rule which you quote from the Federal Bureau of Investigation's Manual on the "Prevention and Control of Mobs and Riots" requires the use of "the minimum force necessary to effectively control the situation." With this statement all would agree. I do point out, however, that it does require the use of necessary force in the appropriate circumstances and this is far different from the position which was taken in the riots that only minimum action should be taken even though the threat was a major one to property and life.

I am sure that we all have the same end in view and that the Department is concerned about the potential for tragedy which lies in the proposed demonstration. At the same time, I do feel that failure to act forcefully and promptly, or the espousal of an unduly permissive policy in the face of illegality, may, as in the case of the recent riots, balloon into tragedy. This is an eventuality which we must prevent at all costs.

Sincerely yours,

JOHN S. MONAGAN,
Member of Congress.

MAY 6, 1968.

HON. JOHN S. MONAGAN,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN: Your letter to the President dated April 11, 1968 regarding the recent disorder in the District of Columbia has been referred to the Department of Justice for consideration and reply.

Since some of the matters mentioned by you would be of interest to officials of the District of Columbia, we have forwarded the letter to Mayor Washington for appropriate action.

In your letter you observed that military assistance should be brought in promptly if it becomes obvious that local forces cannot cope with the emergency. There can be little doubt that the national experience indicates this to be the proper course of action. As you may know, the Report of the National Advisory Commission on Civil Disorders at page 270 states:

"Local authorities must not wait until the critical moment to alert . . . the National Guard. Outside control forces will then be unable to mobilize and respond on time."

It is our understanding that the District of Columbia officials were quite prompt in considering the possible need for military assistance.

With regard to the degree of force that should be employed to quell civil disorder, you may be interested in the following extract from the Federal Bureau of Investigation manual entitled "Prevention and Control of Mobs and Riots":

"The basic rule, when applying force, is to use only the minimum force necessary to effectively control the situation. Unwarranted application of force will incite the mob to further violence, as well as kindle seeds of resentment for police that, in turn, could cause a riot to recur."

Sincerely,

FRED M. VINSON, JR.,
Assistant Attorney General.

RURAL ELECTRIFICATION PROGRESS IN THE 1960'S

Mr. PRICE of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. PRICE of Illinois. Mr. Speaker, I am pleased to join in the tribute which is being paid to the Rural Electrification Administration for 33 years of outstanding service to the Nation and rural America. This is one agency which has remained "young" in spirit and its response to the developing needs of its constituency, the rural electric and telephone systems which have utilized Federal financing to bring initial and improved service to rural residents.

This is made apparent in the annual report which the Honorable Normal M. Clapp, Administrator of REA, made to Congress recently. In the opening section of the report Mr. Clapp highlights the magnificent progress made in the "decade of the 1960's" by the REA-financed rural electric and telephone systems.

Mr. Clapp reports that the REA electric and telephone programs are valuable utility services—"crucial to the living standards and economic productivity of the people served."

In the decade of the 1960's, he says:

The broad potential of rural electrification and rural telephony for the economic growth of rural America is emerging. With it comes a necessary recognition of its vital role in developing the rural-urban balance which the future welfare of our Nation will require as its population moves toward 300 million.

In listing the major advances made during the last 7 years in both the rural electric and telephone programs, Mr. Clapp says:

These measures of progress must also be evaluated against the rapidly growing need for these vital utility services in rural America.

He says this is particularly true in the telephone program where the needs of growth have increased faster than available REA loan sources.

I believe every Member of Congress will find Mr. Clapp's remarks of particular interest. For this reason, I am inserting in the RECORD the text of the introduction to his annual report. It follows:

I. REA PROGRAMS—PROGRESS OF THE 1960'S

The activities of the Rural Electrification Administration for fiscal year 1967 made it possible to score continued and substantial progress in expanding and improving electric and telephone service in the rural areas of the Nation. With it has come further expanding collateral benefits, both social and economic, to the entire Nation, its life, and its economy.

To fully evaluate the significance of the progress made in the single year of 1967, it needs to be examined against the background of the new approaches and emphasis which have been necessary in the 1960's to fit the changing character of Rural America. It is significant too in relation to a growing national awareness that economic development of Rural America and expanding employment opportunities there help prevent further ag-

gravation of the congestion and social problems of the Nation's urban communities.

Both electric and telephone service are vital utility services which are crucial to the living standards and economic productivity of the people served. Now in the decade of the 1960's, the broad potential of rural electrification and rural telephony for the diversified economic development of Rural America is emerging. With it comes a necessary recognition of its vital role in developing the rural-urban growth balance which the future welfare of our Nation will require as its population moves toward 300 million.

In the past seven years the loan authority and technical assistance of REA have been directed with new emphasis toward attainment of the threefold implications of the REA program and its public purpose to:

Make electric and telephone service generally available in rural areas on an area coverage basis;

Make available in rural areas service comparable in quality and cost to that offered people in urban communities;

Make this service available through feasible, sound, reliable and permanent systems and organizations which can offer assurance of future service comparable to what the city dweller enjoys.

These have been the objectives to which REA has given renewed emphasis in the past seven years through our joint efforts with the electric and telephone borrowers and their associations. Together we have achieved these measures of progress:

IN AREA COVERAGE

In our continued drive for full area coverage we have brought service to an estimated 1 million new electric consumers and 770,000 telephone subscribers in the areas served by REA-financed rural systems.

More than 25 million rural people are now receiving the benefits of these vital services through a total of 5,760,000 electric meters and 2,300,000 telephones.

The percentage of farms served by all suppliers of central station electric service has moved up from 96.5 in 1960 to 98.4 in 1967; 80 percent of farms have telephone service, compared to 67 percent in 1960.

About 332,000 small commercial loads are now served in rural areas by REA-financed electric systems, an increase of more than 50,000 since 1960.

Nearly 20,000 large commercial and industrial loads are served in rural areas by REA-financed electric systems, an increase of about 7,500 between 1960 and 1966.

PROGRESS TOWARD PARITY

In our new emphasis on providing parity of electric rates for rural people and rural business expansion the number of rate reductions increased from 14 in fiscal 1961 to 31 in 1962, 77 in 1963, 111 in 1964, 126 in 1965, 151 in 1966 and 92 in fiscal 1967—a total of 602 for combined annual savings to rural consumers of \$19 million.

The average charge per kilowatt-hour of REA-financed rural electric distribution systems fell in 1966 to 1.96 cents, down from 2.32 cents in 1960. This compares with the average for Class A and B commercial electric utilities of 1.53 cents in 1966 and 1.69 cents in 1960.

In the telephone program, REA-sponsored research has produced technological development now making higher quality service, primarily all-weather single-party service, possible for rural subscribers at rates close to the cost of previous standards of 4- or 8-party service.

DEVELOPMENT OF BORROWERS' SECURITY AND EFFECTIVENESS

In building the operating and financial strength of REA-financed rural electric systems as a necessary step to insure their development to meet future demands, power sales rose from 27 billion kilowatt-hours in 1960 to nearly 49 billion in 1966, a total in-

crease of 21.2 billion kwh, compared with an increase of 13.4 billion in the 1954-60 period.

The dollar net worth of all REA electric borrowers has been raised 81 percent since 1960. As a percentage of total assets it has increased from 19.7 percent to 26.3 percent.

The average net worth of telephone borrowers has almost tripled since 1960. Their composite net worth is now 13.6 percent of total assets.

Some degree of legal protection against territorial loss or invasion is now provided for rural electric cooperative systems in 32 states, 14 more than in 1960. Without such protection, their consumers are threatened with higher costs and the systems with piecemeal extinction as they lose the more attractive sections of their service areas to out-reaching commercial or municipal power suppliers.

The percentage of electric borrowers' revenues received from commercial and industrial consumers increased from 18.8 percent in 1960 to 22.4 percent in 1966. Although still far short of the more than 50 percent which Class A and B commercial utilities realize from such loads, this is substantial progress.

Net toll revenues of telephone borrowers almost trebled between 1960 and 1966. Many factors have contributed to this increase, including plant improvements which make distance calling more attractive to rural people and earn a larger share of revenue per toll call for the rural system.

Substantial progress has been made since 1960 in developing more favorable power supply arrangements for REA-financed rural electric distribution borrowers. In 1960 there were 19 companies which had dual rate provisions in 189 contracts with REA-financed systems. Today the number of companies holding REA-financed rural systems to such restrictive contracts is down to three and the number of such restrictive contracts has been cut from 189 to 21.

The average cost of wholesale power purchased from all sources by REA electric borrowers has been pushed down to a low of 6.4 mills per kwh, from 6.9 mills in 1960. For REA borrowers this means an annual saving in wholesale power costs of more than \$25 million in fiscal year 1967 over 1960 rates.

The largest reduction in wholesale power costs since 1960 has been in the cost of power from REA-financed systems—a reduction from 9.2 mills per kwh in 1960 to 8.1 mills in 1967. These reductions reflect use of larger, more efficient generating units, location of large units near fuel sources, and economies of interconnection and power pooling with other power systems, public and private.

LOANS MADE

All this has taken a record-breaking amount of REA financing. Total electric loans for the seven-year period of fiscal years 1961 to 1967, inclusive, have amounted to \$2.183 billion. This is an increase of 49 percent over the total for the previous seven-year period.

In our accelerated attack on the problems of wholesale power supply, total loans for generation and transmission facilities in the past seven years have added up to \$1.130 billion, which is 129 percent greater than the previous seven-year period and more than the total of generation and transmission loans in the entire 25-year period of the REA program prior to 1961.

Total loans made for telephone facilities in fiscal years 1961 to 1967, inclusive, amounted to \$727 million. This was an increase of 25 percent over the previous seven fiscal years.

SUPPLEMENTAL FINANCING IS URGENT

These measures of progress must also be evaluated against the rapidly growing need for these vital utility services in Rural America.

Particularly in the rural telephone program the needs of growth have increased faster than available REA loan resources. De-

spite increased loan levels each year, 1963-67, inclusive, a record \$252 million backlog of unsatisfied loan applications was carried into fiscal year 1968.

It is anticipated that rural electric systems presently financed by REA will require \$8 billion of new capital in the next 15 years to meet growth needs at annual rates increasing to as much as \$700 million per year, compared to the 1967 level of \$353 million.

It is similarly expected that the rural telephone systems presently financed by REA will require \$3 billion of new capital in the next 15 years with annual requirements as high as \$225 million, almost double the amount of REA loans available in 1967.

These present facts and future expectations have produced a growing concern over the urgent need for developing a practical source of financing from the private money market to supplement available REA loan funds.

In both programs this need is urgent. In the rural telephone program it is both urgent and immediate.

PRESIDENT SIGNS BILL TO HELP HOME FINANCING

Mr. DORN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. DORN. Mr. Speaker, President Johnson has signed into law, amendments to the VA housing bill which, in the President's words, are of "vital importance to all the people who want to build or who want to buy homes." I am proud to have played a leading role in their passage.

The amendments empower the Government to adjust the interest rates of FHA and GI loans to meet changing market conditions. No longer will arbitrary interest rates be a bar to homeownership.

Because of our action today, the veteran returning from Vietnam, the young wage earner looking for his first house, the family seeking an escape from a blighted neighborhood, will find it easier to buy a home.

America's home loan programs, as the President remarked, have "helped to fulfill the dream of homeownership for 16 million American families."

But we must not let soaring interest rates cripple these programs. Mortgage credit is the lifeblood of the homebuilding industry—yet interest rates are approaching their highest point in 50 years.

The American economy and the homebuilding industry are at the crossroads. One road leads to easier credit—and to more home buying; the other leads to higher interest rates—and a depressed housing market.

We must all look into our hearts and take the action on the President's tax bill which will best strengthen our economy, reduce interest rates, and help millions of Americans buy the home of their dreams.

We have taken an important step in these amendments to the VA housing bill. We have harder steps ahead.

I insert the President's remarks upon the signing of these important amendments into the RECORD:

REMARKS OF THE PRESIDENT UPON SIGNING H.R. 10477, AMENDMENTS TO THE VA HOUSING LAW, MAY 7, 1968

Secretary Weaver, Members of Congress, Mr. Clark, Mr. Rogg, my friends the Home Builders:

I have not been too closely in touch with homebuilding recently, but I can tell you about a nice house where there is going to be a vacancy in January.

It is a good location. You have a four-year lease, with an option to renew at the pleasure of the landlord.

It is very close to where you work. We have a playground for dogs, children and grandchildren—and, Helen, for Godmothers.

Open occupancy, too.

I am particularly glad that you homebuilders timed your meeting to come to Washington at this period. As you know, I am getting ready to move from my present residence, and I thought that some of you might want to give me some tips on how to remodel a Home on the Range for one of the unemployed, or maybe how to purchase a home on the Avenue for Presidents at Palm Springs.

I come here to sign a measure that I think is of vital importance to all the people who want to build or who want to buy homes.

It empowers our distinguished Secretary, Mr. Weaver, and the Administrator of Veterans Affairs, to adjust interest rates on FHA and GI home loans to changing market conditions for the next 17 months. Those market conditions are changing and they are going to change more, if we don't get a tax bill soon.

Thanks to this particular act, the veteran who has come home from Vietnam, the young wage earner who is on the way up in life, or the family that is seeking escape from the ghetto will find it easier to buy a home.

I think you homebuilders should know that I am very proud of America's home loan programs. They have helped to fulfill the dream of home ownership for 16 million American families, but unrealistic and arbitrary interest ceilings can cripple these programs.

The bill we will sign today which Congressman Dorn and Senator Randolph, and others, have helped to pass and brought here, will prevent that.

This bill, important as it is, though, cannot guarantee the prosperity of the homebuilding industry because homebuilding, like every other industry, flourishes best in a well-balanced and an expanding economy.

The past seven years of unprecedented prosperity have shown what a free economy can do. We have created 10 million new jobs. We have added nearly \$250 billion to our real output per year.

This increase alone is more than the United States was able to produce in any year up to 1939.

That is very significant, and I hope all of us understand it. We are not saying you never had it so good. We are just saying that the increase in the Gross National Product has been more than the entire Gross National Product in the year 1939.

So that is one of the things that your industry has contributed toward and the economics of this country have contributed toward. It is something we really don't want to lose.

We had a situation like that in 1929, and we did lose it very shortly. We can lose it here if we are not careful.

The real income of the average American has risen 31 percent. That is a bigger gain than in the previous 19 years combined.

For the past five years of our period of prosperity, homebuilding was one of the leaders in the advance. It contributed to our prosperity and it also benefitted from our prosperity. We were building at least a million-and-a-half homes a year, and we showed

that the housing industry need not suffer the sharp ups and downs.

But in 1966 the performance took a sharp turn for the worse. Homebuilding sagged to the lowest level in 20 years.

Thousands of builders were deprived of their livelihood and their profits were wiped out. Hundreds of thousands of Americans lost their opportunity to buy or to build better homes.

The need for homes has always been there and the income was there. But the mortgage credit, which is the life blood of home building, was nowhere to be found. We just couldn't get the credit to build the homes that we needed and that we had the income to pay for.

We could have avoided this if we could have passed a tax increase. I knew it and the homebuilders knew it.

I called together the leadership of the Congress and they told me we couldn't get four votes in the entire committee of 25 for the tax bill.

I called together the business group of this country, some 300 businessmen. There wasn't a one of them who would raise his hand for a tax increase.

I called together the labor people and they did not favor a tax increase.

In 1967, though, we went ahead and urged the Congress publicly to pass it.

In August 1967 we repeated the recommendation.

In January 1968 and again in March of 1968 we have done the same thing.

The sad lesson of history is that it has this meaning: It is time to show that America has learned its lesson.

While we have let this tax bill languish, we have seen mortgage interest rates go from 5.5 percent to 7 percent and even 8 percent. Three years ago, no one would have believed that an 8 percent mortgage rate was possible in the United States. But today interest rates are nearing the highest point in 50 years and I think this is something that should disturb every American. If we do not act now, an even worse shock is in store for you. I want to warn you about it.

If we do not act, 10 percent mortgage rates are not outside the realm of possibility, according to the best economists who can see into the future. Tight money is the price that we pay for excess deficits and our refusal to act on a tax bill in wartime. We have never had a war during which we wouldn't pass a tax bill. But now, for three years, we have said first we didn't need it; second, that we couldn't afford it; third, it would hurt the economy; and fourth, we ought to take care of spending first. One excuse after the other.

Only responsible fiscal policy can check inflation and prevent another disastrous credit crunch. Yesterday's long-awaited action by the House Ways and Means Committee gives us some hope that we can soon have a realistic tax bill.

I congratulate the Congress and the committee on that action. I asked the Leadership this morning to please ask each conferee to stand up and do what is best for his country.

If we must cut \$4 billion in expenditures to get \$10 billion in taxes, we will do it. But if you cut more than \$4 billion, you involve great dangers. If the Congress will go along and take the action on the 10-8-4 formula, if some individual can find another \$2 billion that he can cut, he can always offer that in an amendment the rest of the year and let the Congress vote on it.

We must act now to chart a course of fiscal prudence. We are willing to accept the 10-8-4 formula that the Appropriations Committee of the House voted and that the Ways and Means Committee voted yesterday.

We must do that if America is to fulfill her promise to her people, and most of all, her responsibility to the world.

Today our economic future is being de-

cided up here on Capitol Hill. We have come to a crossroads. One road leads to stable economic expansion.

We have had 87 months of the greatest prosperity any nation has ever known, and the only time in all of our history we have gone this long. Why must we sit idly by and reverse that and go back downward?

The other road leads to a feverish boom.

One road leads to stable prices; the other road leads to a step-up in inflation.

One road leads to easier credit; the other leads to soaring interest rates.

We have already paid more in extra interest rates and extra costs and extra high prices than we would get out of the whole tax bill.

With these choices before us, I believe this Nation will travel the road of reason, the road of restraint, the road of prudence, and the road of responsible fiscal policy.

I hope America will travel the right road, because America must, I am doing everything I know how to give the Congress and the country the kind of leadership they need in this trying hour.

I have never thought that tax bills were popular. I have never relied on polls for them. You can ask anybody, "Do you favor a tax increase?" and the answer will be "No."

But if you ask them, "Do you favor a tax increase, or do you favor increased inflation, increased prices, and increased fiscal ruin?" that is a different matter.

I think the average person in this country is a prudent person and a fair person. We cannot fight a war in our cities, we cannot fight a war on poverty, we cannot fight a war on ignorance and illiteracy and disease, we cannot fight aggressors in Vietnam and reduce taxes at the same time.

Yet I want to show you what we have done.

These are the individual income tax rates. Now, when I became President, the person who made \$1,000 a year was paying a 20 percent rate. We reduced that to 14. The person who earned from \$2,000 to \$4,000 was paying a 20 percent rate. We reduced that to 17. The person who made \$8,000 to \$12,000 was paying 26 percent. We reduced that to 22 percent.

The person who earned \$44,000 to \$52,000 was paying 59 percent. We reduced that to 50 percent. The person who was earning over \$400,000 was paying 91 percent. We reduced that to 70 percent.

If we had the same tax rates that we had when I became President, before we got into the difficulties that we have, the extra expenditures, we would take in \$24 billion more this year.

Now, I am not asking you to go back to the rates that we had here under the Kennedy Administration and the Eisenhower Administration. I am asking you to just go back enough to get not \$24 billion, but \$10 billion of the \$24 billion. That is all.

Here is the corporate tax rate. This is your corporate tax rate. I reviewed these this morning with the Leadership.

The corporation that had earnings of \$25,000, we charged them 30 percent. We reduced that when we came in to 22 percent. A corporation here was paying 52 percent. We reduced that to 48 percent. Now we are just asking for a part of it.

Here is your personal income. Let me show you what we were doing.

Here is where we were when we came in. That is the income in America. I hope every one of you will see that. When you really "poormouth" and you feel sorry for yourself, think about your mother and your father and what they did in '29 to '31.

Here is what you have done. You have gone from \$466 right here to over \$700. That is during these four years. You have almost doubled your personal income. Congressmen have not doubled theirs, but the country as a whole has doubled it. Maybe the reporters have not doubled it. But the facts are here: from \$466 to a little over \$700. That is personal income. (The President was speaking in billions of dollars.)

Here is your corporate profits. Let's see about your income to your corporations. They were a little under \$60 billion; here they are over \$90 billion. Up 33 percent in 3½ to 4 years.

Here is your personal income and your tax receipts. Here it was \$466. Then it moves up to \$498. Then \$538, \$584, \$623, and that is '67; '68, you remember, goes up to \$700.

Here is the tax receipts. All the time the income was going up, even though we reduced taxes, tax receipts went up.

This is the last one, the corporate profits before taxes and income tax receipts. Here is the corporate profit. This is what they made after taxes. You see, when we came in here in '63 how much they had to make? They made \$60 billion and they kept only \$20 billion. Here they got \$66 billion but they kept \$24 billion. Here they got \$76 billion and they kept \$26 billion. Here they made \$83 billion and they kept \$31 billion. Here they made \$80 billion and they kept \$33 billion. Look at this line here, the blue line.

So those are not going down. Now, if you want to keep them going up, every businessman I know, every labor man I know, every economist I know who is a student of this situation, they tell us that if you have a gross national product running over \$800 billion, with the expenditures that we have to make in the cities, in Vietnam, and our poverty program, if you would avoid inflation, if you would avoid runaway prices, if you would avoid high interest rates, if you would avoid a slump in the home-building industry, then you must have a moderate tax bill.

We have had it in every war we have been in. We must have it now.

I don't know what is going to happen, but I am going to do my best and I hope that all of you will do yours.

LEGISLATION TO CORRECT SERIOUS INEQUITY IN MEDICARE PROGRAM

Mr. MINSHALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. MINSHALL. Mr. Speaker, today I am pleased to join my distinguished and beloved colleague, the gentlewoman from Ohio [Mrs. BOLTON], in sponsoring legislation to correct a serious inequity in the medicare program which is working hardships on many of our older citizens with limited incomes.

In 1965, the social security amendments we enacted included medicare, which I vigorously supported.

But, at the same time, this legislation wiped out a provision in the law which heretofore had permitted persons over 65 to deduct all of their medical expenses on their personal income tax returns. The bill stated that persons over 65 could deduct only medical expenses which amounted to more than 3 percent of their income. And, the 1965 amendments allowed only that amount which exceeds 1 percent of their income to be deducted for money spent on drugs.

The House had no opportunity to vote on this specific portion of the massive social security bill which was reported by the Ways and Means Committee. If we had, I would have opposed any removal or reduction of medical tax benefits granted to people past 65.

But, as is the case in so many pieces of

major legislation, the House was presented with a "package" bill. The Ways and Means Committee and the House leadership permitted us to record our votes on only two occasions—the substitute medical aid offer by the gentleman from Wisconsin [Mr. BYRNES] and the medicare bill reported by the committee.

I voted for the Byrnes substitute on roll No. 70, CONGRESSIONAL RECORD, volume 111, part 6, page 7443, because I felt it provided much broader benefits, financed from the Treasury rather than from our somewhat shaky social security system and because it was a voluntary plan which did not compel participation by all citizens. The Byrnes substitute failed in a record vote of 191 to 236.

I then voted "yes" for passage of the medicare bill on roll No. 71, CONGRESSIONAL RECORD, volume 111, part 6, page 7444, because of my firm conviction that it is essential that our senior citizens receive proper medical and nursing home care.

In other words, I have supported medicare all the way.

I do think that a majority of my colleagues on the Ways and Means Committee were ill advised to penalize our older citizens, those whom we were trying to help because a majority of them live on limited means, by erasing their tax benefits.

Therefore, I am hopeful that the committee will take prompt action on the bill which Mrs. BOLTON introduced last year and by way of indicating my strong support I today am introducing an identical bill.

REVIEWING THE RECORD ON THE HAWAII OIL IMPORT QUOTA PROBLEM

Mrs. MINK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mrs. MINK. Mr. Speaker, the mandatory oil import program has worked to the detriment of the State of Hawaii and its people ever since it was instituted by Presidential Proclamation No. 3279 in 1959.

I, and virtually every leader of government, industry, and labor in Hawaii, have endeavored for some years now to gain recognition for Hawaii's special geographical and insular status by the officials responsible for administering the mandatory oil import program.

So that the public record may be clear, I wish to submit a statement of my position including a brief résumé and selected documentation of Hawaii's efforts with regard to this situation.

The decision by President Eisenhower to impose "temporary quotas" in 1959 was predicated on the concern that continued free importation of cheap foreign crude oil and oil products would undermine domestic petroleum prices so that oil companies would be without economic incentive to explore for new sources of oil and to further increase domestic oil pro-

duction. The reasoning was, that in spite of oil depletion allowances, company profits would not have been adequate to warrant the risky undertaking of exploration for new reserves. Without such exploration, it was argued, the United States could not develop the domestic oil reserves that are essential to our national security when a foreign crisis such as the Suez Canal denies us access to foreign crude oil.

As implemented, the mandatory oil import program operates by allocating licenses to authorized importers under a quota system. This is done in terms of five geographic areas into which the Nation was divided by the Petroleum Administration for Defense in 1950 and are known as PAD districts.

In the area east of the Rockies—PAD district I through IV—the level of imports—except residual fuel—are designated to be 12.2 percent of the quantity of crude oil and natural gas liquids which it is estimated will be produced in that area during the allocation period. Allocations of the available imports are then made to refiners and petrochemical plants in districts I-IV, regardless of location, who qualify under the terms of the program. The allocations are based on the input of a refiner or plant for a previous period or a percentage of their last voluntary quota whichever is larger. Allocations based on inputs of refiners are awarded on a sliding scale inversely according to the size of the refinery, thus theoretically favoring the smaller processor.

The west coast and Hawaii were lumped together from the outset as PAD district V. The quotas for this district are calculated from the difference between domestic demand and production in this district plus receipts from other districts and overland imports, which are not licensed. Inland refiners are permitted in all districts to work out exchanges with coastal refiners, since they do not run imported oil. By this system, they trade their oil import quotas for domestic oil which they then must process in their own plants.

The experience of the past 9 years has cast considerable doubt on the continuing validity of the initial national security hypothesis on both a national and regional level, as evidenced by the statement by Secretary Udall reported in a Department of Interior press release issued March 31, 1965:

There is in my judgment a very serious question whether the national security interest warrants the continuation of this program and this was reflected in the initial decision that I had made.

With respect to Hawaii, as early as 1960 in a special report done by the Stanford Research Institute for The Hawaiian Electric Co., Ltd., it was concluded that removing import controls on residual fuel oil for Hawaii would not affect the national security of the United States. The Institute report specifically stated:

Removing the controls for Hawaii would not discourage domestic exploration for or production of crude oil, and other factors influencing national security would be unaffected by exemption.

In addition to the inapplicability of the national security rationale to Hawaii, the oil import controls and the concomitant higher cost of petroleum probably damage the Hawaii economy to a greater degree than any other State in the Nation. Because it is an island State, Hawaii lacks indigenous sources of energy—gas, oil, coal, oil shale, timber, hydroelectric power—and consequently there is no competition among energy suppliers.

Although several different petroleum products could be utilized, the only economically feasible fuel energy source presently available to the islands is residual fuel oil. This product has been used almost exclusively in Hawaii the past 18 years. Through processing, residual fuel oil provides our industrial energy, electrical power-generation and utility gas manufacture.

Thus, imported oil and oil products are virtually the only source of energy available in the islands, which in turn, makes the islands almost wholly dependent on the five oil companies which supply us, that is, Standard Oil of California, Union Oil, Phillips Petroleum, Shell Oil, and Texaco, Inc. These companies obtain allocations in District V enabling them to import their quota of cheap foreign oil. Consequently, not only are they the nearly sole suppliers of all energy to the islands, but they constitute a closed shop with regard to their exclusive access to allowable quantities of foreign oil. Their market position essentially allows them to charge any price which they desire to their captive customer, Hawaii. Accordingly, although well over 90 percent of the oil and oil products purchased by Hawaii civilian consumers is of foreign origin, the price of these petroleum products is arbitrarily set as though they were produced in the west coast and the price also includes transportation costs from the West Coast to Hawaii in American ships whereas, in fact, the oil is shipped from Iran, Saudi Arabia, and Indonesia in foreign vessels.

In material supplied by the Department of the Interior, a certain gravity crude oil shows a post price of \$3.17 per barrel at Signal Hill, Calif. The same kind of crude oil is listed at \$1.80 per barrel in the Arabian Gulf and a Far East price shows it at \$2.15 a barrel. This indicates that Hawaii consumers pay from 50 to 65 percent more per barrel than its actual price since Hawaii is charged the California price for the foreign oil.

This false price has the predictable result of raising the cost of nearly every item manufactured or consumed in Hawaii, and substantially contributes to an increased cost of living for every citizen in Hawaii which is, on the average, 15 percent higher than on the mainland United States. It causes the gas utility rates to be the highest in the Nation and the cost of electricity in Honolulu is exceeded in the United States only by the cost in New York and Boston. The higher fuel charges discourage stops in Hawaii by transoceanic shipping as records indicate that only Cape Town, South Africa, charges more for fuel oil than is charged in Hawaii which, of course, means dollars lost to our economy. By way of domestic comparison,

Hawaii charges \$2.775 per barrel for fuel oil used by ships as against \$2.25 in New York and \$2.20 in Tampa, Fla.

Gasoline prices in Honolulu are higher than anywhere in the west coast, averaging more than 6 cents more per gallon than those charged in Los Angeles, San Diego, and Seattle.

Also, it should be noted that Hawaii has a growing problem of air pollution which is caused in part by the burning of high sulfur content residual oil. The Honolulu Gas Co. expressed concern over this fact at an early date to the officials of the Oil Import Administration. For this reason and for economic considerations, the company sought in 1965 to obtain a special import allocation for clean-burning propane which could be shipped to Hawaii from Canada at a price considerably under that charged for landing residual oil in Honolulu. In addition, they had been assured of a long-term quantity of propane from the proposed Canadian supplier while, at the same time, propane in the United States was in such short supply that no domestic company could be found which could guarantee the needed amount of propane. Had this allocation been granted, it would have engendered considerable savings to customers of the gas utility and would have, in large measure, alleviated the air pollution problem in tourist-conscious Hawaii. However, due to still current Federal controls, supposedly directed at crude oils and liquid petroleum fuels, the Honolulu Gas Co. could not accept the offered natural gas component since it was deemed to fall within the term "finished products" as defined in the oil import regulations.

Since the propane in question is produced in a neighboring country, its import is permitted in liquid form to all States of the United States other than Hawaii under the exception provided in section 1(2)(4) of Presidential Proclamation No. 3279. This exemption permits the unrestricted overland import from Canada and Mexico of their indigenous petroleum and natural gas liquids, but forbids overwater transport, the only manner by which gas, oil, or any bulk product can possibly reach Hawaii. Thus, Hawaii alone of all the States was and still is, subject to an unjust discrimination in policy which denies it a major economic privilege extended to all other States simply because there is no land-bridge between Hawaii and the North American continent.

In still a further effort to reduce air pollution in Hawaii, there is currently pending before the Oil Import Administration a request by the Honolulu Gas Co. for a special allocation of foreign oil which would allow the company to convert to low ash, low sulfur residual fuel oil. A decision is still to be rendered on this application but clearly, up to the present time, the policy of the Oil Import Administration in this matter has measurably contributed to the dirty air breathed by the citizens of Honolulu.

I am advised that the U.S. Navy, a large oil consumer in Hawaii, uses almost exclusively cheap foreign oil. This, in turn, makes it clear that if these sources are deemed satisfactory from the standpoint of security by the Department of

Defense, then they would certainly be secure for use in the Hawaiian civilian economy. Also, since oil coming either from the mainland or from foreign sources must travel over more than 2,000 miles of open water, the security of overland supply argument seems irrelevant.

Not only would removing import controls on oil and oil products consumed by Hawaii have no deleterious effect on national security but it might well be strengthened by providing economic justification for alternate sources of supply, additional means of overseas transport, increased shore storage for fuel oil and it could perhaps lead to the establishment of a second oil refinery in the strategic Hawaiian Islands. Exempting Hawaii would allow larger fuel oil consumers such as gas, electric, and water utilities to negotiate and develop alternative fuel oil sources and a more economical supply than is presently available. Thus, in time of a national crisis these utilities and companies would be in a better position to guarantee uninterrupted services at a critical time to the Army, Navy, and Air Force facilities based in Hawaii.

The Stanford Research Institute report conclusively found that removal of the import quotas with respect to Hawaii would have no effect on petroleum product prices elsewhere in district V and the lowered energy cost would enable Hawaii to broaden its manufacturing and industrial base thus strengthening its competitive capabilities in regard to the foreign Pacific Rim countries. An adequate quota of foreign crude oil feedstocks could foster the creation of a petrochemical industry in Hawaii which would provide increased labor, stimulate the building of satellite industries, bolster the construction industry, and generally enhance the industrial development in Hawaii. This would undoubtedly have a positive effect on the U.S. balance of payments in the long run. This is an especially compelling consideration at the present time and in light of the fact that in 1966 Hawaii imports from foreign countries amounted to \$107.2 million as compared to only \$40.6 million of exports.

Also, by way of analogy, I would like to point out that special insular situations of both Puerto Rico and the Virgin Islands have been recognized by the Oil Import Administration with regard to oil import allocations. As reported in a Department of the Interior news release of November 4, 1967, a plan was approved implementing construction of a petrochemical plant in the Virgin Islands with a special allocation of feedstocks being granted. It was said that the special allocation would have "minimal impact" on the total United States Oil Import Program. As is well known, Puerto Rico's special island status has long been recognized in terms of special allocations of foreign oil imports. In fact, a further allocation was given to the Sun Oil Co. in Puerto Rico as recently as April 19 of this year. In addition, Puerto Rico is allowed to export finished products to the mainland United States. Certainly, the State of Hawaii is entitled to at least equal consideration.

The tremendous concern and interest in the plight of Hawaii in this matter can best be illustrated by the following letters and statements by a great number of public-spirited citizens and businessmen of the State of Hawaii over the course of the past several years while I have been privileged to serve as a Member of Congress from Hawaii. I am sure that they will provide a most eloquent statement of Hawaii's case and amply justify our demand for an exemption from the foreign import quotas under the mandatory oil import program.

The material mentioned follows:

[Letter of Lewis W. Lengnick, Senior Vice President, Hawaiian Electric Co., to Mr. Buford Ellington, Office of Emergency Planning, May 27, 1965]

DEAR MR. ELLINGTON: Pursuant to your letter of April 26, 1965, addressed to Mr. Philip E. Spalding, Chairman of the Board of Hawaiian Electric Company, Inc., that an investigation was being undertaken by you to determine the effect, from the standpoint of the national security, of imports of residual fuel oil, Hawaiian Electric Company, Inc., as a party interested in such investigation, is filing herewith a written statement with respect to the relationship to the national security of residual fuel oil imports into the State of Hawaii.

Hawaii is the only state that must rely on a single industrial fuel. It is the position of Hawaiian Electric Company, Inc. that there should be no restriction on imports of residual fuel oil into the State of Hawaii. Our position is based upon a detailed written study entitled *Impact on National Security of Residual Fuel Oil Exemptions for Hawaii*, prepared by Stanford Research Institute with the assistance of this Company in 1961, which study is submitted herewith. The analysis presented in this report has not changed, even though some of the raw data is not current. The conclusion of this report is that an exemption for the State would provide a broader base for Hawaii's fuel supply and would not impair or threaten to impair national security.

Also submitted herewith are our views on the five subjects as requested in the second paragraph of your letter.

We would like to emphasize that the importation of residual fuel oil from other than domestic sources will not, in any way, impair or threaten to impair national security.

One of the major reasons that the oil quota was originally established was because of the vulnerability of tankers to submarine attack. On the continental United States national security could be strengthened by users purchasing oil that can be delivered by tank car or pipe line instead of by tankers. However, no such condition exists in Hawaii, and regardless of source or type, fuel must be imported by ship over long stretches of international waters.

There is little difference between shipping fuel oil from California to Hawaii and shipping it from the Caribbean to Hawaii. It is obvious that the government itself has reached that same conclusion because the U.S. Navy, a large consumer of residual fuel oil in Hawaii, has for many years been using foreign sources for its supply. If the Navy is satisfied that foreign sources of residual fuel oil are secure for its usage it is obvious that these sources are equally secure for Hawaii's civilian economy.

The State of Hawaii is an isolated group of islands 2500 miles out in the Pacific. All fuel must be imported. Geographically, Hawaii is in a position completely different from any of the other forty-nine states, but is in a position similar to Puerto Rico. We believe that the same logic which led to the exemption of Puerto Rico from the import quota

restrictions on residual fuel oil should lead to the same exemptions for Hawaii. Both areas must import their fuel requirements and both areas have historically imported residual fuel oil for these fuel requirements.

Residual oil is the only fuel—solid, liquid, or gaseous—which can be economically burned by Hawaiian Electric Company, Inc. Neither coal nor gas, which compete for utility business on the U.S. Mainland, is feasible for use in Hawaii. Hence the competition between fuels on the Mainland is non-existent in Hawaii.

It is a well-known fact that the supply of residual fuel oil in District V is diminishing with respect to the demand. A recent article by Robert D. Eilers of the Richfield Oil Corp. in the Annual Review, *California Oil World*, forecasts that by 1969 District V production of residual fuel oil will be about 163,000 barrels a day. The tabulation below shows the continuing reduction in residual fuel oil production in District V, with production in 1969 estimated to be only 46% of 1952 production.

[Barrels per day]

Year:	
1952	357,000
1957	348,000
1963	256,000
1969 estimate	163,000

With the possibility that the demand for residual oil in District V may exceed the available supply within a few years, the Hawaiian economy should not be subjected to the increased fuel costs which would logically result, particularly when Hawaii's geographical location permits it to be insulated from California's supply problems. Hawaii now has one of the highest fuel costs of any section of the United States. The largest civilian user of fuel, Hawaiian Electric Company, Inc. has rates that automatically change with changes in the fuel oil price, as do all other electric and gas utilities in the State of Hawaii. While other industries that use fuel do not change their prices automatically with price changes of fuel, nevertheless the cost of this fuel is inevitably reflected in the cost of their product. In the end it is the consumer in Hawaii who pays the additional amount for high fuel costs.

One of the best ways for the people of Hawaii to be assured of a reasonably priced and dependable supply of fuel oil is to increase the sources of supply that can furnish residual fuel oil to this market. The most satisfactory way of doing this would be to permit these isolated islands, which must import fuel oil in any circumstance, to import such oil from either overseas or domestic sources. The Hawaii market for residual fuel oil would then be a truly competitive market and the benefit of this competition would accrue to the people living and working on these islands.

In closing we would like to emphasize two major points. First, the lifting of import controls for the State of Hawaii would in no way affect national security. Second, the lifting of import controls would definitely be of economic assistance to the State of Hawaii and would not have a detrimental effect on the economy of any other part of the United States.

We appreciate this opportunity to present and explain our position concerning this investigation of the lifting of residual fuel oil controls.

Very truly yours,

LEWIS W. LENGNICK,
Senior Vice President,
Engineering and Operations.

[Comments on the five subjects requested in the letter dated Apr. 26, 1965, from Mr. Buford Ellington, Director, Office of Emergency Planning]

(1) Changes in the cost of residual fuel oil in the absence of residual fuel oil import controls: Under present import controls fuel oil

users in Hawaii can purchase residual fuel oil only through a very limited number of residual fuel oil suppliers. If these users could purchase from other suppliers of residual fuel oil then the economic forces of competition would provide both a more reliable and more economic supply of residual fuel oil.

(2) Price at which coal would become competitive with oil: Because of Hawaii's isolated position and because of the lack of any coal handling facilities both locally and on the West Coast, the cost of coal delivered in Hawaii would be quite high and the cost of fuel oil would have to approximately double for coal to become economically competitive.

(3) Effects of residual fuel oil controls on electricity cost to users by types (Household, Commercial, Industrial and Others): Hawaiian Electric Company, Inc.'s electric rates fluctuate with the price of fuel oil. A 10 cents a barrel reduction in the price of fuel oil will automatically be passed on to the 135,000 customers of Hawaiian Electric Company, Inc. as a reduction of \$378,000 per year in the cost of electric service. The breakdown of this saving per 10 cents a barrel reduction by type is: Residential consumers, \$127,000; Commercial consumers, \$69,000; Industrial consumers, \$176,000; and Other consumers, \$6,000.

(4) Effects of these controls on the making of long term purchase contracts: In the making of long term purchase contracts these controls limit us to dealing with companies that have an import quota for foreign oil, or an assured supply of domestic residual fuel oil. Lifting of these controls would allow us to negotiate with other domestic companies which have an adequate supply of residual fuel oil available to these islands, but not necessarily of domestic origin. Such a change could not help but benefit the State of Hawaii.

(5) Effects of import controls on the attractiveness of energy sources other than oil and coal: Oil is the only important source of energy available to Hawaii now or in the immediate future. The cost of coal delivered here is prohibitively high, and hydro is only a minor source of energy. The economics of nuclear power generation favor generating units larger than 300 mwe. At the present time the largest unit feasible for use in the Islands is 100 mwe, and there is no prospect that nuclear units of such size will produce economically competitive electric energy for us in the immediate future.

LEWIS W. LENGNICK,
Senior Vice President.

[Letter of Paul C. Joy, Honolulu Gas Co., to Buford Ellington, Director, Office of Emergency Planning, June 3, 1965]

DEAR MR. ELLINGTON: Pursuant to your press releases of April 6, 19, and 28, 1965, relating to the Office of Emergency Planning's investigation of the national security basis for control of residual fuel oil imports, the Honolulu Gas Company, Limited, wishes the following opposition statement concerning continued controls to be considered and included in the record.

Because Hawaii has no natural gas, economics dictate that this state's fuel gas be manufactured from imported petroleum. Residual fuel oil subjected to high temperature thermal decomposition has been the source of utility gas since 1904 and today Gasco is Hawaii's second largest consumer of residual (550,000 bpy).

Our company not only provides utility fuel gas service to three of the five major islands, but also is the major LP-gas (propane) distributor serving the entire state and neighboring strategic Pacific islands (120,000 customers). We are the only gas utility in the United States fully dependent on a reliable economical source of residual fuel oil for our total gas supply.

Continued import controls on residual fuel

oil will result in damaging Hawaii's economy to a far greater degree than any other U.S. area.

1. Hawaii lacks indigenous sources of energy (gas, oil, coal, oil shale, timber, hydroelectric power) and consequently is the only major strategic community which (a) does not enjoy the competition among different fuels which tends to make for low-cost industrial energy, and (b) is totally dependent on fuel oil from an overseas source for its industrial energy, electrical power generation and utility gas manufacture.

2. Restricted by import controls and geographic location, (a) Hawaii's fuel oil must be obtained from the West Coast, a decreasing residual fuel oil area which itself is so short of petroleum production that it must import over half of its refinery crude runs, and (b) unlike other areas of the United States, unrestricted inexpensive overland import of oil as well as natural gas, hydroelectric power and coal is impossible to Hawaii.

3. The high value of West Coast fuel oil is compounded by (a) the additional West Coast shore tank and port costs, (b) U.S. Maritime Law which requires use of expensive U.S. bottoms to move the fuel from West Coast ports to Hawaii, (c) the lack of deep-water ports in the Islands to enable utilization of the larger, more economical tankers, (d) the trend current among West Coast refiners to boost gasoline production at the expense of fuel oil which will surely result in diminishing fuel oil availability, rising residual fuel oil prices, and (e) the lack of true competition for this relatively small domestic fuel oil market (5.6 MM bpy**) supplied through nine widely separated port terminaling facilities on five islands.

Removing the import controls on Hawaii's basic source of industrial energy would not adversely affect national security nor discourage domestic crude oil exploration, production or refinery capacity. Conversely, lifting such controls on Hawaii might well strengthen our national security by providing the economic justification for alternate sources of supply, additional means of overseas transportation, increased shore storage for fuel oil, and perhaps a second oil refinery in these strategic islands.

Exempting Hawaii should place the larger fuel oil consumers such as the gas, electric and water utilities in a position to negotiate and develop alternate fuel oil sources and more direct economical supply lines than are presently available. This recognition of Hawaii's relation to world oil reserves and movements, the diminishing West Coast domestic residual oil availability, and rising domestic fuel costs will result in strengthening the energy base of Hawaii's industry-weak economy. In time of national defense, the local utilities and community will be in a stronger position to render uninterrupted vital services to the essential "frontline" Army, Navy and Air Force facilities based in Hawaii.

Although the removal of residual fuel oil restrictions in the Islands will have no effect on petroleum product prices elsewhere in District V, the lower energy costs would enable Hawaii to broaden its manufacturing base and competitive stature with the foreign Pacific Rim countries; the latter would have a positive side effect on the U.S. balance of payments.

When comparing Hawaii to the contiguous Western States or to Alaska, the only other State distant from the continental limits of the U.S., with its wealth of indigenous coal, crude oil, natural gas and potential sites for low-cost hydroelectric power development, one wonders what reasoning is used in imposing on Hawaii the full restrictions of the District V crude oil and residual fuel oil rulings. If there is to be any relaxation of restrictions on imported petroleum, Hawaii should certainly be included and be given the maximum benefits.

In conclusion, the following effects referred to in Director Ellington's release of April 28, 1965 can be expected in Hawaii if residual fuel oil controls are eliminated.

1. The price of fuel oil should decrease without effecting crude oil or coal prices.

2. Imported residual fuel oil will most likely be imported from (a) Venezuela, (b) Trinidad or (c) Canada.

3. Permitting Hawaii to use foreign fuel oil will ease the anticipated future shortage in West Coast District V States; but since the Island domestic market represents less than 4 percent of District V, it should be difficult to recognize any effect.

4. Since no coal is produced and only minor quantities consumed in Hawaii, fuel oil imports will have no effect on coal production, or employment.

5. The State of Hawaii Harbors' Division statistics for 1963 fail to list the importation of any coal although approximately 100 tons/year of coke is used by local specialty foundries.

6. No rail transportation is used for coal or petroleum products in Hawaii.

7. No rail revenue is generated by coal.

8. No effect on railroad employment.

9. Because of prohibitive overseas transportation costs on coal and lack of economical coal sources in the Pacific, coal has not been used for several decades for electric power or fuel gas generation in Hawaii.

10. (a) Four of the five major islands making up the State of Hawaii have the highest electric rates in the nation: Oahu, the fifth island has domestic power rates comparable to New York and Boston.

(b) The utility gas, all produced from oil, has rates exceeding those in any other area of the nation. Refer to the attached U.S. Department of Labor Statistics for March of 1965. Removal of import restrictions if followed by a fuel oil price decrease will result in lower residential, commercial and industrial gas and electric rates since utility energy rates in Hawaii escalate automatically with posted fuel oil prices. In other words, the savings will be passed on to the consumer.

11. Hawaiian Electric announced two weeks ago that a study just completed indicated neither imported natural gas nor nuclear power could compete over the next 5 years with electric power generated from fuel oil. Hawaii lacks any sizable potential hydroelectric supply.

12. The largest electric utility currently has a long term (6 year) fuel oil contract. The State's only gas company which manufactures its gas from residual fuel oil must renegotiate a new contract before December, 1965: it hopes to obtain more favorable terms than its current residual oil contract price of \$2.885 per barrel. Because West Coast refineries are now converting to hydrocracking the gas utility has found the local fuel oil marketers reluctant to commit themselves to residual oil supply beyond the fall of 1966. Honolulu's current posted price for Bunker C Fuel Oil (\$2.775/bbl) is higher than any major world port. * The predicted domestic fuel oil shortage is of very great concern to our management and can only be corrected by lifting restrictions on foreign derived residual fuels or eliminating foreign crude oil quota restrictions on Hawaii.

In support of national defense and in fairness to the citizens of the 50th State, Hawaii should be recognized for the vulnerability of its offshore geographical position, lack of indigenous energy resources, the handicap imposed by its inability to be interconnected via power lines, pipelines, railroad or highways to receive energy overland from neighboring states, and for the complete dependence of its economy on imported petroleum energy. Restrictions not only on imported residual fuel oil, but restrictions on all petroleum products consumed in Hawaii should be lifted immediately for this area of energy poverty. Insular Hawaii, like Puerto Rico, should be treated as the separate geo-

graphical entity it is for purposes of nation energy laws, rules and regulations!

very truly yours,

PAUL C. JOY,
Director, Management
Research Services Division.

Fuel oil data for Hawaii, 1964

Import, barrels per year:	
Oahu	4,405,700
Hawaii	148,600
Mau	306,000
Kauai	101,600
Total	4,961,900
Produced, estimated, barrels per year:	
Gasco consumption (0.15x = 560,000) (x=3,730,000 (15 percent of Minas crude is residual))	560,000
Total crude to Barbers Point= 10,052,700 barrels (10,052,700 - 3,730,000) x 0.20= (Estimated residual oil from remainder of crude is 20 percent)	1,264,500
Fuel oil produced	1,824,500
Total available fuel oil, barrels per year	6,786,400
Export, barrels per year:	
Oahu	1,189,600
Hawaii	3,500
Total	1,193,100
Export, barrels per year:	
American ships	362,200
Foreign ships	859,400
Total	1,221,600
Net consumption in Hawaii, barrels per year	
Consumption data of some companies, barrels per year, 1964:	
Electric utilities (from PUC)	3,820,400
Gasco	560,000
Hawaiian Cement Co.	90,000
Kaiser Cement Co. (estimated)	150,000
Dole Co.	80,000
Hawaiian Western Steel	23,000
California-Hawaiian Sugar, 0.80 barrels per ton of sugar	32,000
Ewa Plantation, 0.10 barrels per ton of sugar	6,000
Assume sugar to be 0.50 barrels per ton of sugar	500,000
Total	5,261,400
Unaccounted (other pineapple canneries and small fuel burning businesses)	331,900

[Letter of N. R. Potter, Jr., president, Hawaii Manufacturers Association, to Mr. Buford Ellington, Director, Office of Emergency Planning, July 2, 1965]

DEAR MR. ELLINGTON: On behalf of the industrial community of Hawaii, and all people of the State who use our products and utilities, we urgently ask your cooperation in affecting changes in the existing mandatory oil import controls that will put the islands in a more favorable position.

Apparently we were not alert enough when the control program was established five years ago, as we fared very poorly. As we had no importers of oil on a historical basis, not one Hawaiian firm receives any part of the import quota. All states are permitted to bring in Mexican and Canadian oil overland, but we are the only State which does not have an overland route to these areas. Puerto Rico has special consideration and is allowed to bring in foreign oil for their needs, with a limited U.S. mainland export quota.

Oil is the only fuel we can use on the basis of today's economics and technology. Studies have been made on the use of coal,

for example. It was found that the price of oil would have to double before we could consider this source energy.

We are stuck with the use of oil. And, under present import controls our costs are based upon West Coast prices, which with minor exceptions are the highest in the U.S. And, we must then ship this oil 2,500 miles. As a consequence, our fuel costs are exorbitant.

If Hawaii is permitted to import foreign oil the people of the State will directly benefit as all of our utility franchises contain provision for adjustment of rates based on the price of fuel.

We of the Hawaii Manufacturers Association urge you to give the islands the fullest consideration in making adjustments to the control act. It is our hope that we will be allowed to import foreign oil for our own use with limited authorization to ship processed products into the continental U.S. This might allow us to make the first struggling step into the petroleum-chemical field. We feel that Hawaii is handicapped by being classed with existing groups as our conditions are so far different to those found in any other State of the Union. It is our hope that we will be reclassified into a separate category as Group VI.

Your assistance will be greatly appreciated.
Sincerely yours,

N. R. POTTER, Jr.,
President.

[Letter of L. C. Blackburn, general manager, Hawaiian Flour Mills to Mr. Buford Ellington, Office of Emergency Planning, July 6, 1965]

DEAR SIR: As a citizen of the State of Hawaii as well as Manager of a manufacturing facility, I would appreciate a few minutes of your time to read my views on our fuel liquid petroleum problem here in Hawaii.

As you probably know, Hawaii is the only state which is dependent entirely upon one fuel—liquid petroleum, all of which must be imported from overseas. We are the only state which cannot import foreign oil from Canada or Mexico, as present controls allow only overland transportation. Because of the historic basis of import allowances, not one Hawaiian firm is qualified to obtain special import licenses under present rules. Therefore, Hawaii's petroleum prices, and cost of all power sources and essential utilities, are necessarily based upon domestic oil from areas which with minor exceptions are the highest in the nation. Then, we ship this expensive oil 2,500 miles. The result is unreasonably high costs for our fuel and power.

Puerto Rico has received exceptional treatment under existing import controls, and is allowed to import their requirements, plus limited export to the continental U.S. Our problems are more serious than Puerto Rico on cost of fuel.

I might add here sir, that I lived in Puerto Rico for five years, and am aware of the cost of electricity there, versus Hawaii, as well as aware of the cost of motor fuel oil in Puerto Rico versus Hawaii. Puerto Rico is a Commonwealth whereas Hawaii is a State of the Union and certainly Hawaii should receive at least equal benefits as does the Commonwealth.

Anything that you can do would accrue directly to the public of Hawaii, and the manufacturing firms. Please review our situation here. Our state is growing and needs the help people like you can offer. Our state can be a new frontier not only for the state itself, but for the Pacific Basin.

Sincerely,

HAWAIIAN FLOUR MILLS, INC.
L. C. BLACKBURN,
General Manager.

[Letter by Representative PATSY T. MINK to Mr. Buford Ellington, Director, Office of Emergency Planning, July 15, 1965]

DEAR MR. ELLINGTON: This is in regard to letters you have received, dated, July 2, 1965,

from N. R. Potter, Jr., president of the Hawaii Manufacturers Association. In them, Mr. Potter presses Hawaii's case for changes in the existing oil import controls as applied to Hawaii.

It is of the utmost importance to the State of Hawaii that every effort be made to lower the costs of doing business and of living. The cost of liquid petroleum is a key factor in this sector. Hawaii is solely dependent on petroleum as a commercial and industrial fuel, yet is the only state unable to import oil from Canada or Mexico.

As I understand it, the importation of foreign oil into Hawaii would allow for reductions in the cost of electricity, manufactured gas and several other products, all of which are basic to the necessities of life. These savings could be passed on to the consumers and industries which use oil.

In addition, allowing of the import of oil into Hawaii could lead to establishment of a petro-chemical industry, which would be of great benefit both to Hawaii and the nation.

It is important to note, I think, that a 1961 survey by the Sanford Research Institute on the impact on National Security of residual fuel oil exemption for Hawaii found that granting of such an exemption would not affect national security, would not discourage national oil production and would have no effect on the national balance of payments.

As the report said: "Exempting Hawaii would merely be a recognition of that state's location in relation to domestic and foreign sources of residual fuel oil."

I therefore respectfully urge you to give whatever favorable consideration possible to such an exemption, under the rules and regulations of your agency. I appreciate your attention to this matter, and request that you keep me informed of your actions concerning it.

Sincerely,

PATSY T. MINK,
Member of Congress.

[Letter from Newton Miyagi, secretary-treasurer, ILWU, Local 142, Hawaii, to Secretary Udall on Sept. 29, 1965, on the oil import program]

DEAR SIR: Our union with a membership of 23,000 and as consumers of oil in one form or another have a vital stake in the current revision of Presidential Proclamation 3279 authorizing the Mandatory Oil Import Controls.

With the knowledge that the Oil Import Program and its background are well known to you, the following is submitted as briefly as possible to solicit your action to correct the glaring inequity imposed thereby upon the State of Hawaii.

The 1959 Presidential Proclamation authorizing the Mandatory Oil Import Controls was predicated upon national security requirements for a healthy, domestic petroleum industry, capable of meeting the nation's energy needs in times of emergency. The threat of submarine attack and disrupted oil shipments from overseas was a major consideration in formulating this goal.

Had Hawaii's limited oil consumption as related to national production capacity been properly evaluated at the time oil import restrictions were established, it is hard to believe that more liberal application would not have been provided for these islands. The use of foreign oil in Hawaii could have no adverse effect on the initiative to develop new oil reserves in the producing areas of the United States. On the other hand, it would improve the economic climate in these isolated islands by bringing into play the forces of competition and at the same time, develop multiple fuel supply lines to this strategic area.

The effort to minimize the import of oil by tanker to Hawaii is meaningless because

ocean transport is the only available means of supplying fuel to this state. Nor are the California-Hawaii shipping lanes more secure from submarine warfare than those extending from the Caribbean, Canada, Mexico or other foreign areas.

To further complicate the matter, oil is the only energy source economically available in Hawaii.

In developing the oil import regulations, variations in continental supply between areas east and west of the Rocky Mountains was recognized, as was Puerto Rico's unique insular situation. At that time, however, there was no refinery capacity of consequence in Hawaii and little or no foreign oil was imported to the islands. Consequently, there were no vitally interested parties in the Territory who would have otherwise pointed out the inequity inherent in treating Hawaii as a contiguous extension of the continental United States.

On the other hand, Puerto Rico, in an identical geographical position, was able to gain a special status under the regulations, presumably by outlining its unique circumstances. The Commonwealth of Puerto Rico, an insular area like Hawaii, was permitted imports "adequate for the purposes of local consumption, export to foreign areas, and limited shipment of finished products to the continental United States". By contrast, Hawaii, with no petroleum reserves and much greater distances over which it must ship its oil, was simply included in District V.

Furthermore, Hawaii finds itself at a tremendous disadvantage in comparison to all other states. They have available to them an exception to the quota system, permitting the overland import of Canadian and/or Mexican oil. The inequity of this overland limitation is self-evident.

Recently, economic opposition to the easing of oil import controls has come from coal and railroad interests. While the arguments set forth may have merit in the 49 continental states where coal competes with oil and the railroads have heavy investments in coal handling equipment and personnel, they are totally inapplicable to Hawaii. The Fifth State has no coal or other natural fuels; it burns no coal, and there are no railroads in Hawaii.

It can only be concluded from the above that the inequity of present oil import controls as they are applied to Hawaii is very real. The problem, however, is not insoluble. It is therefore requested and strongly recommended that the unjust and discriminatory application of oil import controls to Hawaii be corrected in the current revision of Presidential Proclamation 3279.

This could most equitably be accomplished by providing that:

1. The State of Hawaii be placed in a new District VI and permitted free access to all foreign petroleum products. Under this proposal, shipments of finished products from Hawaii to the continental states should, of course, be limited to current levels.

2. A second alternative would be to include the Fifth State under the more applicable existing controls covering oil imports to the Commonwealth of Puerto Rico. This would permit the just and unrestricted import of oil for local consumption and re-export with limited shipment of finished products to the continental United States.

Barring affirmative action on one of the above equitable proposals, it is imperative that special exception or quota be included to allow the import of residual oil and other finished products to meet Hawaii's local market demand. In addition, energy-poor isolated communities such as Hawaii and Puerto Rico must continue to be permitted to freely import foreign oil for consumption or conversion in Foreign Trade Zone operations.

Yours very truly,

ILWU LOCAL 142.
NEWTON MIYAGI,
Secretary-Treasurer.

[Statement before the Department of the Interior hearing on the long-term relationship of the U.S. petrochemical industry to the mandatory oil import control program]

DEPARTMENT OF THE INTERIOR,
Washington, D.C., October 28, 1965.

GENTLEMEN: I am honored indeed as a Representative of the State of Hawaii to add my views on the oil import control program to those of the distinguished experts in the field who appear before you today.

I would like to confine my statement to the impact of the program on the State of Hawaii and to point out an inequity that the program imposes upon my State.

Hawaii is unique among the States in its isolated geographical position, complete lack of indigenous energy resources, full dependence on ocean shipping to supply its energy requirements and total reliance on liquid petroleum fuels to power every utility service, agricultural operation, and military or industrial activity.

Because of its geographical location, Hawaii is the only State which may not import without quota oil from Canada and Mexico, and thus it is prohibited from access to less expensive free world supplies of petroleum.

The result of this requirement that Hawaii use petroleum at the domestic price is the creation of a very real block against the development of Hawaii industry and expansion of Hawaii's international trade.

Hawaii, relying on petroleum to generate electricity and gas, has retail utility charges significantly higher than those of other major cities, because these charges must reflect the relatively high domestic price of oil.

I have already joined other members of the Hawaii congressional delegation in urging the adoption of an amendment to Presidential Proclamation 3279 which would permit the importation of oil and oil products to Hawaii from the Western Hemisphere in the same manner as other States. I would like to repeat that plea at this time. The amendment would read as follows:

"Add a new item (5) after (4) to section 1 (a) to read: ', or (5) crude oil, unfinished oils, or finished products which are transported into the State of Hawaii by any means of transportation for local consumption in Hawaii or for re-export to foreign areas from the free countries of the Western Hemisphere where they were produced, which countries, in the case of unfinished oils or finished products, are also the countries of production of the crude oils from which they were produced or manufactured.'"

Adoption of this amendment would have two extremely beneficial effects. By lowering the cost of feedstocks, it would lower the cost of electricity and gas within the State of Hawaii, thus opening the way for expansion of industrial and other activity within the State.

In addition, by providing relatively inexpensive feedstocks, it will lay the basis for a petrochemical export complex that would be of great benefit to our national efforts to increase our exports to foreign markets.

At least one expert in the field has commented upon Hawaii's ability to develop such activity if foreign oil can be utilized. I need not enumerate before you who are so familiar with the field, the vast range of products that could be produced for export should Hawaii be enabled to develop a petrochemical complex utilizing its Central Pacific location.

In conclusion, allow me to respectfully point out to you that Hawaii's complete dependence on liquid petroleum as an energy source means that the amendment I have cited would generate absolutely no conflict with domestic coal, railroad, natural gas, REA or related continental interests.

Therefore, it is my earnest recommendation that Hawaii be removed from the current restraint on oil imports with all pos-

sible speed. It is my sincere conviction that adoption of the cited amendment would be in the best national interest.

I respectfully request that this statement be made a part of the record of these proceedings and that favorable consideration be given to adopting the cited amendment in new import controls to become effective on January 1, 1966.

Respectfully submitted,

PATSY T. MINK,
Member of Congress.

[Letter to the President by the Hawaii congressional delegation on Oct. 20, 1965, and reply dated Dec. 8, 1965, From Lee C. White, Special Counsel to the President]

The President,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: As members of Hawaii's congressional delegation, we are deeply concerned that in reply to our several letters, Secretary Udall has made no direct comment on any of our suggested means of correcting inequities to Hawaii under the existing oil import program.

We deem it necessary, therefore, to jointly offer a specific amendment to Presidential Proclamation 3279 which is designed to correct the inequities to Hawaii without detri-

ment to the purposes of the controls. The proposal presented herein has our unanimous support.

Your review of the suggested amendment as it affects the national security, domestic exploration and production of crude oil, the U.S. balance of payments, and Hawaii's security and economy, will show that it fairly recognizes the 50th State's geographical location in relation to today's domestic and foreign petroleum resources. Hawaii's unique situation is acknowledged without hampering the present goals, policies, or economics of the Oil Import Control Program.

In recent years there has been a drastic change in the mid-Pacific petroleum supply and transportation pattern. For many years Hawaii relied upon domestic oil brought in from California, but today she receives over 85% of her oil supplies from foreign sources, priced, however, on the basis of domestic production, plus shipping. The switch to foreign oil has thus accentuated the discriminatory effect of the Oil Import Regulations imposed upon Hawaii's petroleum consumers while benefiting mainland oil interests with historical oil import quotas. Perhaps the plight of Hawaii's oil consumers can best be illustrated by the following table, comparing current posted prices of petroleum products in Hawaii with West Coast and East Coast postings:

SELECTED PETROLEUM PRODUCT POSTINGS

Consumer price ex tax	F.o.b. rack TT 90 octane gas (cents per gallon)	F.o.b. rack TT light fuel oil (dollars per barrel)	F.o.b. rack TT 50-55 dl. diesel (cents per gallon)	F.o.b. rack TT LPG (cents per gallon)
Honolulu, Oahu, Hawaii.....	18.4	3.475	16.4	9.25
Hilo, Hawaii.....	18.9	3.475		
San Francisco, Calif.....	11.3			6.0
New York, N.Y.....	11.8	3.15	9.75	

We urge you, Mr. President, to recognize the uniqueness of the 50th State: its singularly vulnerable, isolated geographical position; its complete lack of indigenous energy resources; its full dependence on ocean shipping to supply its energy requirements; and the state's total reliance on liquid petroleum fuels to power every utility service, agricultural operation, military and industrial activity.

At the same time, you will recall that while all other states are permitted unlimited overland imports from neighboring nations, Hawaii is the only state which may not import quota-free petroleum directly from Canada and Mexico. This prohibition on a state whose entire oil supply must be moved over at least 2,500 miles of international waters has eliminated the opportunity to obtain petroleum products from the less expensive, yet reliable, free world sources. This creates a severe and very real economic barrier to the expansion of Hawaii's industry and free trade with friendly nations. Since Honolulu's electricity and fuel gas are both generated from oil, this handicap is best illustrated by comparative utility prices in six major U.S. cities, as follows:

RETAIL UTILITY CHARGES, JULY 1965

City	Electricity, 250 kw per month	Fuel gas, 40 therms per month
Atlanta, Ga.....	5.72	4.85
Buffalo, N.Y.....	7.09	4.51
Chicago, Ill.....	6.62	5.77
Honolulu, Hawaii.....	8.50	13.53
Los Angeles, Calif.....	6.31	4.73
Washington, D.C.....	7.14	5.96

Source: Department of Labor, Bureau of Labor Statistics, "Real Prices and Indices of Fuels and Electricity."

We accordingly urge that the existing oil import controls be corrected by the following amendment to Presidential Proclamation 3279, as amended:

"Add a new item (5) after (4) to section 1(a) to read: ', or (5) crude oil, unfinished oils, or finished products which are transported into the State of Hawaii by any means of transportation for local consumption in Hawaii or for re-export to foreign areas from the free countries of the Western Hemisphere where they were produced, which countries, in the case of unfinished oils or finished products, are also the countries of production of the crude oils from which they were produced or manufactured.'"

The effect of the amendment would be to permit the importation of oil and oil products to Hawaii from the friendly nations of the Western Hemisphere in the same manner as all other States in the Union are permitted quota-free overland imports from neighboring countries.

Since economics dictate Hawaii's complete dependence on liquid petroleum-derived energy, inclusion of the recommended amendment in the forthcoming proclamation should in no way create any conflict with coal, railroad, natural gas, REA, or related continental interests.

It is earnestly requested that the unwarranted oil import restraints on Hawaii, so contrary to the national interest, be relaxed, and that all possible means be employed to expedite the inclusion of the recommended amendment in the new oil import controls which are to become effective January 1, 1966.

Aloha and best wishes.
Respectfully yours,

DANIEL K. INOUE,
HIRAM L. FONG,
U.S. Senators.
SPARK M. MATSUNAGA,
PATSY T. MINK,
Members of Congress.

DECEMBER 8, 1965.

DEAR CONGRESSWOMAN: This is in reply to your thoughtful letter to the President of

October 20, signed jointly by you and the other members of Hawaii's Congressional delegation, recommending an amendment to the proclamation on oil import controls.

While we are in sympathy with your objective, we believe that as far as petroleum supply is concerned the situation in Hawaii is analogous to that of several other States on the Mainland. New York, for example, is a major consumer of petroleum and lacks significant indigenous supplies. In fact, the entire east and west coast regions of the United States are deficient from the standpoint of petroleum availability. Under these circumstances, the President must take into account not only Hawaii but also similarly affected States in considering modifications in the oil import control program.

Although the terms of Proclamation 3279, as amended, legally permit movement of Canadian and Mexican overland exempt oil into all 50 States, economic and transportation factors have limited refining of overland exempt oil from Canada to nine States, all of which are located near the border. Imports of Mexican oil represent a special situation and have little influence on the U.S. supply.

As your letter indicates, residual fuel oil is the principal fuel used to generate electricity in Hawaii. The Office of Emergency Planning, at the request of the Department of the Interior, last April initiated an investigation to determine whether or not national security considerations still require retention of import controls on residual oil. More recently, the Departments of the Interior and Commerce have undertaken a special study of the relation of the oil import control program to investments and growth in the petrochemical industry. I understand that Hawaii has been actively represented in hearings relating to both of these studies. The results of these studies should be helpful in consideration of future changes in the oil import control program.

We appreciate receiving your views on this important matter.

Sincerely,

LEE C. WHITE,
Special Counsel to the President.

[Letter to Representative PATSY T. MINK from Bruce A. McCandless, president, Honolulu Gas Co., Mar. 9, 1966, with status report on the oil import program]

DEAR CONGRESSWOMAN MINK: Because of the continued importance of the Mandatory Oil Import Control Program as it is applied to Hawaii, it is felt that the enclosed summary will be of interest to you. The review of recent developments was prepared as a quick reference and progress report for the individuals and organizations that have supported Hawaii's efforts to gain relief under the program.

Although the inequities of the controls as applied in our State have been carefully outlined to the responsible Federal officials, to date no concrete gains have been made. A license is still required to import foreign oil to Hawaii. No provision has been made for increased quotas for Hawaii. Uncontrolled imports from Canada and Mexico remain unavailable only in Hawaii. No exceptions or concessions have been granted. The widely publicized liberalization of controls affects only the East Coast, Puerto Rico and large producers of petrochemicals.

Interior Department news releases state that further liberalization of the program will be effected for the allocation year beginning April 1, 1966. Unless the new modifications are very broadly stated or specifically compiled, to correct the inequities of application to the Fiftieth State, no immediate relief can be expected.

However, at a recent meeting with New England Senators and Congressmen, traditional critics of residual fuel oil controls, Secretary Udall is reported to have predicted

that the 1966-67 allocation year would be "the last year of controls." Although his informal remark has not been confirmed or explained, it is believed that the Secretary was referring to expected changes in the oil import program which will be affected as a result of the final report by the Office of Emergency Planning on its residual oil study. Thus, it appears that relief for Hawaii, at least with respect to residual fuel oil, may be forthcoming in the second quarter of 1967.

Inasmuch as the goal of the New England group coincides with one of Hawaii's major objectives, the freedom to import foreign residual fuel oil, it is suggested that if you have not already done so, an offer be made to work with that group toward the furtherance of our joint aims. The addition of a voice so geographically removed from New England, with an identical purpose, would likely enhance the cause. It is understood that Senator Pastore of Rhode Island chairs the committee.

Very truly yours,

BRUCE A. MCCANDLESS,
President.

STATUS REPORT ON MANDATORY OIL IMPORT CONTROL PROGRAM

During the year 1965, the Honolulu Gas Company, Limited, in cooperation with the Hawaii Manufacturers Association, the State Administration and Hawaii's Congressional Delegation, among others, attempted to point out the gross inequity of the Oil Import Program as it is applied to Hawaii. The matter was discussed with representatives of the Department of the Interior, the Department of Commerce, and the Office of Emergency Planning. In addition to extensive correspondence with these departments, Hawaii's dilemma was brought to the attention of the White House, the Department of Defense and the Treasury, and other interested government offices. Testimony was also presented at several public hearings held in connection with the program.

The latter hearings were held in furtherance of investigations conducted by the Interior and Commerce Departments. As a result of these investigations, Presidential Proclamation 3693 was issued on December 10, 1965, modifying Proclamation 3279 which established the Mandatory Oil Import Control Program in 1959. A brief synopsis of the changes in the program affected by Proclamation 3693 and the attendant revisions to the Oil Import Administration regulations is attached (A).

Basically the changes:

1. Eliminate access to quota-free foreign oil through Foreign Trade Zones,
2. Extend eligibility for import licenses to independent producers of petrochemicals,
3. Authorize more liberal oil imports to Puerto Rico.

Conspicuous by its absence was any specific relief for Hawaii. If anything, the extension of the oil import control program to encompass imports to Foreign Trade Zones was detrimental to Hawaii's position.

It is conceivable that the provisions making petrochemical plants eligible for oil import licenses may, under some future circumstances, aid Hawaii's industrial development. Under the currently proposed regulations, however, the authorized imports are too insignificant to be of practical value. As now conceived, the regulation would not permit the import of more than approximately 10% of plant inputs. Excepting very large plants with ready access to low-cost foreign feedstocks, it would economically be unfeasible to import such a small proportion of plant inputs.

RESIDUAL FUEL OIL

The Office of Emergency Planning which is responsible to the President and advises him on Oil Import Controls as they relate to national security has, for several months,

been investigating their applicability to residual fuel oil.

Although the final report on the study has not been published, it has been predicted that no national security basis will be found for the continued restriction of residual fuel oil imports. An interim report (see attachment B) dated December 18, 1965, substantiates this prediction and recommends that the residual fuel oil import level be increased substantially.

The resulting widely-publicized liberalization of residual fuel oil import controls does not apply in Hawaii. The entire 35 million barrels made currently available by Secretary Udall was assigned to PAD District I (the Eastern Seaboard). The announcement of the liberalization, however, indicated that after April 1, 1966, the Oil Import Appeals Board would be empowered to grant "incremental allocations to eligibles and others in all PAD Districts" when necessary to "prevent threats to price stability". Revised regulations affecting the residual fuel oil control program are to be published prior to April 1, 1966.

It has been speculated that the revised regulations will exempt residual oil used as a fuel from the import controls. Barring this, however, many industry commentators have expressed the belief that, when released, the final report resulting from the Office of Emergency Planning study will recommend this exemption. Thus, until the new Oil Import Administration rules are published and until the final O.E.P. report is issued and implemented, consumers of residual fuel oil in Hawaii are in no better position than previously.

PROCLAMATION CHANGES

The 1965 Proclamation Amendments and attendant rules have:

1. Eliminated access to uncontrolled foreign oil imports in Foreign Trade Zones.

Heretofore foreign oil could be brought into Foreign Trade Zones for processing, refining, etc., without an import license. The resultant products (largely petrochemicals), if they were not controlled under the oil import restrictions, were importable without license.

Under the amended Proclamation and attendant regulations, foreign oil may not be entered into a Foreign Trade Zone without an import license.

2. Authorized the allocation of licenses for the import of crude and unfinished oils to persons having petrochemical plants.

Formerly only refiners of petroleum qualified for crude and unfinished oil import allocations.

The December 10, 1965 Proclamation (#3693) extended eligibility for limited import licenses to persons having petrochemical plants. Allocations for petrochemical producers are to be granted without increasing total import allocations.

Under the rules proposed by OIA to implement this amendment, the petrochemical quotas will be a fixed percentage of plant input. The percentage for each allocation period will be the ratio between imports available for allocation and total annual inputs of all eligible applicants.

It has been variously estimated that the proposed rules will make available import licenses of from 8% to 10% of input for each qualified producer of petrochemicals. For most operations this percentage may be significant enough to make importation practical, but for small producers it would not.

3. Authorized more liberal special treatment for Puerto Rico.

The Commonwealth has always enjoyed a special status under the Oil Import Control Program. The Secretary of the Interior has, from the outset, had the authority to adjust the maximum level Puerto Rican oil imports "to meet local demand in Puerto Rico or demand for export to foreign areas".

The new Oil Import Administration regulations re-emphasizes Puerto Rico's special status. They permit the Commonwealth limited exports of finished products to the Eastern United States and authorize the Secretary to grant even larger allocations of crude and unfinished oils as feedstocks for facilities which, in his opinion, will promote substantial expansion of employment in Puerto Rico.

YEAR 1965 LIBERALIZATION OF CONTROLS ON RESIDUAL FUEL OIL

By letter of December 18, 1965, Buford Ellington, Director of the Office of Emergency Planning, advised Stewart L. Udall, Secretary of the Interior, as follows:

"A thorough consideration of all issues covered by my residual fuel oil investigation indicates that control of these imports could be substantially relaxed without impairment of the national security. This is consistent with recent advice from the Secretary of Defense which takes into account the current military situation.

"Accordingly, I recommend that the residual fuel oil import level should be increased substantially for the remainder of the current fuel oil year and should be set as high as possible for the year beginning April 1, 1966."

As a consequence, the Secretary immediately announced a 35 million barrel increase effective January 1, 1966, in the maximum import level for residual fuel oil in PAD District I for the period ending March 31, 1966. It was indicated that the program would be further liberalized for the allocation year beginning April 1, 1966. The Oil Import Appeals Board will be authorized to grant incremental allocations to eligibles and others in all PAD Districts where necessary to prevent threats to price stability.

[Honolulu Gas Co., Ltd., testimony before the Oil Import Administration hearing on May 23 and 24, 1967]

Mr. Chairman, thank you for this opportunity to submit testimony on the hardship imposed by the Oil Import Control Program on Hawaii's only gas utility, the Honolulu Gas Company, Limited. This island enterprise was franchised by Act of the Congress of the United States in 1904 to provide fuel gas service to the City and County of Honolulu.

Hawaii's insular isolation and complete lack of fossil fuel resources necessitates the importation of almost all its energy from overseas sources in the form of liquid petroleum products. Thus, the fuel gas provided Honolulu's 65,000 customers through a conventional underground piping network is not natural gas, but a "synthetic natural gas" manufactured by the high temperature cracking of a straight run petroleum feedstock. LPG, naphtha, diesel oil, gas oil, uncracked residual oil and crude oil are all satisfactory raw materials for the gas manufacturing process. However, all of these petroleum products are considerably higher in landed cost when purchased on the domestic market than when purchased from foreign sources.

The Oil Import Regulations specifically exempt natural gas from import quota restrictions to the benefit of the continental United States who are importing increasing quantities of pipelined foreign gas to meet their fuel requirements. Yet, the same Oil Import Regulations fail completely to consider the fuel gas requirements of the 50th State which has no overland pipeline access to natural gas reserves. It is this inconsistency that imposes a major economic and energy supply hardship on our community and its gas utility, the Honolulu Gas Company, Limited.

If natural gas can be imported quota free, then why not provide that an area such as Hawaii, which must produce its fuel gas or

"synthetic" natural gas from petroleum feedstocks, be given specific exemption (or a full quota) for petroleum feedstocks that are specifically used to produce essential fuel gas supplies? Hawaii is the only state in the union not now provided natural gas from indigenous resources or by major pipeline. It is time the discrimination against Hawaii's gas industry be corrected by permitting the Honolulu Gas Company to purchase from its most economical source of supply those quantities of petroleum products needed to operate its fuel gas manufacturing operation.

During the year 1966, the gas utilities in the United States sold 125 billion therms of gas. Of this, less than one-tenth of one percent (50 million therms) is estimated to be fuel gas manufactured from oil. The Honolulu Gas Company, Ltd. accounted for forty percent of this manufactured gas which it produced from 600,000 barrels of petroleum feedstock.

Hawaii is the only state which does not now have nor can ever expect to have an economical indigenous or pipeline supply of natural gas. Yet, many industrial processes and modern civilian conveniences are dependent upon the use of a gaseous form of energy. Thus, the State of Hawaii's lack of an abundant inexpensive supply of clean burning gas is a major economic deterrent that should be given proper consideration.

The restriction on foreign oil use by utility gas manufacturing plants requires the use of refined petroleum priced at West Coast terminals plus U.S. tanker tariff (about 60¢ bbl.) to Hawaii. For example, rather than paying East Coast-West Coast prices of \$2.00 to \$2.20 per barrel for residual bunker oil, Honolulu consumers pay about \$2.77 per barrel. Such inflated pricing applies to all bulk petroleum products in Hawaii, directly contributing to the highest utility gas prices anywhere in the United States (see attachment, Bureau of Labor Statistics).

1. The Honolulu Gas Company is one of the last remaining base load oil-gas utilities in the United States and its operation cannot be economically replaced with pipelined natural gas as the utilities in the continental United States have done.

2. Honolulu will have to continue to rely on manufactured oil gas to supply its growing economy and increasing number of customers (65,000) for the foreseeable future.

3. The quantity of foreign petroleum feedstock (1,700 bpd, increasing five percent per year) that is required to manufacture Hawaii's gas requirements is a miniscule quantity to the U.S. petroleum industry. Its import will have no effect on the security of supply of the other 49 states nor any major impact on the quantity of foreign oil imports entering District V even if the entire gas making feedstock requirements were supplied from foreign production.

4. The provision of an import quota for utility oil-gas plant feedstock to be used exclusively in the production of synthetic natural gas (gas yield about sixty percent by weight of feedstock) will have an important supportive effect on the economy of Hawaii by encouraging the establishment of gas consuming industries heretofore economically unfeasible. Not only will it benefit industry, but the use of lower cost foreign petroleum for gas making will likewise result in future saving to thousands of domestic and commercial gas customers.

5. Because Honolulu's utility gas operation is somewhat of an oddity, it is easy for it to be overlooked by a major national program such as the oil import control regulations. However, such oversight and the resulting gross inequity does not reduce the economic hardship or the impact of the discrimination imposed upon the citizens of Hawaii.

CONCLUSION

Since the importation of natural gas from foreign sources is unrestricted and actively practiced by a great number of the continental states, there is no justification for prohibiting Hawaii from importing foreign petroleum feedstocks to be used in the production of synthetic natural gas for distribution by a gas utility.

We request that the mandatory oil import control program be modified to either (1) exclude import restrictions on foreign petroleum utilized in the production of synthetic natural gas or (2) provide an oil quota allocation to permit a utility gas manufacturing operation to import up to one hundred percent of its petroleum feedstock requirements.

Thank you.

HONOLULU GAS CO., LTD.,
PAUL C. JOY, Vice President.

TABLE 5.—NET MONTHLY BILLS TO RESIDENTIAL CUSTOMERS FOR SPECIFIED AMOUNTS OF GAS, BY AREA, MARCH 1967

Standard metropolitan statistical areas	Monthly bills for uses other than heating					
	10 therms		25 therms		40 therms	
	March 1967	February 1967	March 1967	February 1967	March 1967	February 1967
Atlanta.....	\$2.22	\$2.22	\$3.62	\$3.62	\$4.85	\$4.85
Baltimore.....	2.82	2.81	4.75	4.77	6.68	6.69
Boston.....	4.08	4.08	7.34	7.33	9.97	9.95
Buffalo.....	1.69	1.69	3.00	3.00	4.29	4.34
Chicago.....	2.22	2.22	4.09	4.09	5.88	5.88
Cincinnati.....	1.57	1.57	2.44	2.44	3.63	3.63
Cleveland.....	2.05	2.05	3.15	3.15	4.26	4.26
Dallas.....	1.47	1.47	2.40	2.39	3.49	3.48
Detroit.....	2.38	2.38	3.93	3.93	5.28	5.26
Honolulu.....	4.79	4.79	9.31	9.31	13.54	13.54
Houston.....	2.19	2.19	3.62	3.63	5.00	5.00
Kansas City.....	1.08	1.80	2.85	2.86	3.75	3.76
Los Angeles.....	2.51	2.51	3.62	3.62	4.69	4.69
Milwaukee.....	2.00	2.00	3.98	3.98	5.72	5.72
Minneapolis.....	2.41	2.41	4.15	4.15	5.69	5.69
New York.....	3.31	3.31	6.54	6.54	9.13	9.13
Philadelphia.....	2.55	2.55	5.25	5.25	7.71	7.71
Pittsburgh.....	2.71	2.71	3.88	3.87	5.09	5.09
St. Louis.....	2.10	2.09	4.41	4.40	6.36	6.35
San Diego.....	2.39	2.39	4.08	4.08	5.59	5.59
San Francisco.....	1.77	1.77	2.74	2.74	3.65	3.65
Seattle.....	2.73	2.73	5.49	5.49	7.89	7.89
Washington, D.C.....	2.39	2.39	4.75	4.75	6.86	6.86

[Honolulu Gas Co., Ltd., testimony before the Oil Import Administration hearing on May 23 & 24, 1967]

Mr. Chairman, thank you for this opportunity to submit testimony on the hardship the Oil Import Control Program is imposing on securing the projected essential propane supplies for the State of Hawaii.

Hawaii's geographical location and its lack of natural gas and propane necessitate the importation of almost all of its energy sources in the form of petroleum and LPG.

The Honolulu Gas Company which distributes propane as a substitute for natural gas throughout the rapidly-developing State of Hawaii, anticipates Hawaii's demand for

LPG to exceed the propane-producing capability of the only refinery in Hawaii. In line with current Oil Import restrictions on propane, we have been diligently seeking alternate future supply sources in the United States but have been unable to locate any uncommitted domestic production of sufficient magnitude to meet Hawaii's growing gas energy demands.

The Honolulu Office of the Bureau of Customs, U.S. Treasury Department, reports Hawaii's importation of 4,155,800 gallons LPG from foreign sources during 1966. This importation by the only refinery in Hawaii of foreign LPG, substantiates Hawaii's domestic LPG shortage and indicates a very serious Island propane supply problem, aggravated by the West Coast District V LPG shortage. Even as a source of uncommitted propane existed on the West Coast, there is no LPG bulk-loading shipping terminal available to load our barge or tanker for overseas shipment to Hawaii.

Foreign sources of LPG have been sought and several long term offers to meet our optimum requirements have been received. The propane has been priced competitively with that purchased from the local refinery so could provide the assured needed LPG supply to the economy of Hawaii.

Clean-burning propane fuel is needed in ever-increasing quantities to alleviate Honolulu's growing air pollution problem. Reduction of air pollution has a very tangible economic benefit to Hawaii for clean air is an asset to tourism, our second-largest industry.

Our propane supply predicament cannot be corrected by substituting another liquefied gas such as butane, for butane is in even shorter local supply. Our insular location precludes the use of the "overland" importation exemption available to the continental border states to obtain quota-free propane from Canada or Mexico. For example, what would the State of Washington do without foreign propane imports? Hawaii is obviously placed at a great economic and energy supply disadvantage by the current Oil Import Regulations and we ask that this injustice be given due consideration.

The Standard Oil Company of California's Hawaii Refinery, our sole propane source, has been a reliable supplier for the past seven years. However, should there be a fire or accident at the refinery, we know of no known alternate domestic propane supply source. Hawaii's reliance on this single refinery supply and its limited storage creates the following undesirable situations:

1. Because there are no competitive alternate domestic propane suppliers, we do not have the desired competition or flexibility in negotiating our supply contract.

2. Any major interruption in refinery operation will cut off propane used for utility gas service to thousands of customers without any foreseeable relief from alternate domestic sources. Activities and housing at military posts, vital communication centers, essential civilian functions, and many homes and businesses will immediately be affected by such an interruption.

Although there are no import restrictions on natural gas, Hawaii cannot take advantage of this exemption in the Oil Import Control Program, since a 2,500-mile undersea natural gas pipeline is impractical. Furthermore, the importation of liquefied natural gas by ship has not yet proven economically feasible for Hawaii's relatively small energy market.

In review, Hawaii's insular geographical isolation and complete lack of natural gas and LPG energy resources, complicated by the current discriminatory oil import restrictions on propane, have created insurmountable LPG supply problems peculiar to this one island state. We solicit your correction of this serious propane supply shortage and request the complete exemption from the Oil

Import Control Program of foreign LPG (butane and propane) in the State of Hawaii.

Thank you.

PAUL C. JOY,
Vice President.

[Joint statement of DANIEL K. INOUE, SPARK M. MATSUNAGA, PATSY T. MINK, members of Congress from Hawaii, on the oil import control program, before the Honorable Stewart L. Udall, Secretary of the Interior, and members of the Panel, Department of the Interior, May 24, 1967]

Mr. Secretary and members of the Panel, I am Congressman Spark M. Matsunaga. I thank you for this opportunity of testifying at these hearings on the Oil Import Control Program and expressing the joint views of the Democratic members of the Hawaii Congressional delegation. Congresswoman Patsy T. Mink is here with me, and Senator Daniel K. Inouye had also planned to be present but is unable to do so because of illness. However, he is represented by his executive assistant, Dr. Orland S. Lefforge.

Hawaii has long suffered the inequity of being bound by the same import controls as those which govern the western states of the mainland United States. We in Hawaii would be willing to continue to suffer the injustice if it were in the nature of a sacrifice for the national good. The sad truth of it all is that the imposition of these controls on the insular State, some 2,300 miles from the West Coast, is not in any way contributing toward the national good, but is in fact detrimental to our national interest.

A review of the establishment and maintenance of the Oil Import Control Program discloses the underlying national effort to foster overland sources of oil supply in order to avoid the vulnerability of tankers to submarine attack in time of any national emergency. Indeed, within the limits of the continental United States, national security would definitely be strengthened by users purchasing oil that can be delivered by tank car or pipeline instead of by a sea vessel. In the case of Hawaii, however, regardless of the source, oil and oil products must be imported by ship over long stretches of international waters whether there is a national emergency or not. For security reasons, as well as for its economy, Hawaii, therefore, ought to be permitted to import oil from foreign sources via multiple shipping lanes.

Where military requirements are concerned, it appears that the Federal government has reached this very conclusion because the U.S. Navy, a very large consumer of oil in Hawaii, has for many years been using foreign sources for its supply. If foreign sources of oil are deemed satisfactory, even from the point of view of security, to the Navy, then certainly these sources ought to be acceptable for Hawaii's civilian economy.

Consistent with the aims of the Oil Import Control Program, Hawaii, therefore, should be removed from District V and be placed in a separate District with a different set of controls or be released from the program's restrictions altogether. Exemption of Hawaii from the Oil Import Control Program could actually have the effect of removing the possibility of disastrous consequences which would flow from a fire or accident at the major oil company refinery which is Hawaii's sole propane supplier. Propane is distributed throughout the rapidly developing State of Hawaii as a substitute for the non-available natural gas, and any major interruption in the operation of the sole refinery would cripple the operation of military installations and vital communication centers, as well as thousands of businesses and homes. Such a disaster could be avoided and Hawaii's recognized position in our national defense picture could be considerably strengthened by complete exemp-

tion of Hawaii from the Oil Import Control Program.

For reasons of national security alone, if not for any other, we strongly urge that this be done as soon as possible.

There are, however, other compelling reasons for excluding Hawaii from District V.

Hawaii, by virtue of its inclusion in District V must pay heavily for its energy supply. It has no hydro-electric power or coal. Its only energy sources are petroleum fuels. The prices Hawaii must now pay for these fuels are of course based on the domestic price of District V crude oil, a price which with transportation to Honolulu included amounts to about \$3.85 per barrel. But if Hawaii were permitted to buy its oil from foreign producers at world prices, this price, transportation and all fees included, would amount to but \$3.15 per barrel, or a net saving per barrel of about \$.70. When we consider that Hawaii's consumption is over 55,000 barrels per day or around 20,000,000 barrels per year, this cost differential amounts to an impressive \$14,000,000 a year.

The State cannot afford to overlook an annual loss of this dimension. In contrast to many states, our population is but 750,000, our economy is relatively small. It is a cost which every automobile user, every user of electricity, every user of propane gas must share, and it is a hidden cost in every item produced or consumed in the Hawaiian economy.

Further the high cost of crude oil adversely affects the ability of goods produced in our economy to compete with mainland and world markets. The basic cost of manufacturing plus a fair margin of profit must be met in any enterprise to survive. Since the sale price of Hawaii produced goods is determined by competition outside the State, our margins of profit inevitably are narrowed when our production costs are high. And our production costs are high because of the great distance for our suppliers and markets: extra freight charges must be added to the price of all materials shipped in or out; loss of earnings on capital invested while merchandise is in transit, and losses because of the need to maintain unusually high volumes of stock in our warehouses must also be included in production costs. Also contributing to high overhead is the high cost of land and rentals brought on by land shortages in an insular community. These factors add to the high cost of living because they inflate the cost of produce consumed at home. When products are sold outside the State they encounter the ceilings set by our competitors. As a result our profit margins inevitably narrow. Such costs are intrinsic to our being an insular economy. But because we are insular we must examine all ways in which our economy may compete more advantageously. The extraordinary high prices we must pay for fuels are not all intrinsic. Were they lowered they would ameliorate some of the disadvantages our economy must now assume.

But aside from considerations of what would be good for Hawaii's economy, is it fair to include Hawaii in District V? We believe that it is not, and cite for your consideration the following factors:

- (1) Other districts are in geographic proximity, their boundaries set according to the availability of local oil and other fuels. Import quotas are geared to District needs so that something of a fuel cost balance is maintained between Districts. For Hawaii, however, this entire concept of availability is violated for we are a non-contiguous State, 2,300 miles from the remainder of District V.

- (2) Other States have authority to bring in overland Canadian and/or Mexican oil imports in addition to the quota. In addition it is possible within a district to transport a finished product from one place to another economically. By both these means a District

is able to achieve a degree of price competitiveness. Hawaii enjoys none of these advantages. On the contrary our consumption is tied almost entirely to but one supplier.

Hawaii is endeavoring in every way to expand its economy. It wants to attract industry; it is attempting to develop itself into a mid-Pacific trade center and a bridge between East and West through the services it can render. The people in our State are willing to plan and work, but they need assistance in removing unjustifiable roadblocks.

To impose the same quota and price regulations on Hawaii fuels as are placed on those for the West Coast is equivalent to a tariff on all Hawaii produced goods. It is as multiplying to the growth of industry as is any tariff against any developing economy.

Beyond the hopes and dreams of the State, however, is a national consideration which also has been too long overlooked. Right now the Department of Defense is purchasing in the vicinity of \$1.4 billion in petroleum products annually. About \$400 million of this amount is bought from foreign suppliers, and about sixty percent of this \$400 million is spent in the Pacific. We have no quarrel with this policy, for it is necessary for logistic reasons—it is just too far to serve our Asian needs with oil brought all the way from the West Coast when the same product can be obtained in the Persian Gulf; and it is economically foolish to pay mainland prices when the same product can be bought overseas for 35 to 40 percent less for limited military use.

In the future, as this country continues and deepens its involvement in Asia, and as the need for petroleum, fertilizers, plastics and the host of other oil derivatives needed by developing countries grows, it will be increasingly beneficial to this country both logistically, and for our balance of payments to have an oil center develop in the Hawaiian Islands. But this manifestly cannot happen so long as we are married to District V quotas.

Hawaii offers no opposition to the Oil Import Program as such. It only seeks equitable consideration for national circumstances beyond its control. The stated purpose of the Oil Import Program is to insure a healthy domestic oil industry for reasons of national security.

It is to be noted that under the actual operation of oil import controls, virtually all crude and unfinished oil consumed in Hawaii is imported from foreign sources in any event, and the oil import controls have not encouraged in Hawaii the use of United States-produced oil, as it had been hoped for under the 1959 Presidential proclamation. The controls have merely tended to raise the cost of energy on the local market to excessively high levels so that Hawaii's energy costs to the consumer are the highest in the Nation.

Foreign oil imports into an isolated island state, 2,300 miles southwest of California, for local use, foreign export and limited export to the United States, should in no way impair the expressed purposes of the controls. On the contrary, a just consideration of Hawaii's needs will lessen the heavy economic burdens now carried by the citizens of the State of Hawaii and at the same time contribute materially to the Nation's economic and defense posture.

We therefore again urge that Hawaii be exempted from the crippling and unfair restrictions of District V and be placed in an entirely different category, under terms which are commensurate with the unique needs and opportunities found in Hawaii. Thank you very much.

[Letter from the Hawaii State Federation of Labor, AFL-CIO, to Secretary Udall, on June 5, 1967]

DEAR MR. SECRETARY: The Hawaii State Federation of Labor, AFL-CIO, is pleased to

respond to your invitation to comment on the effects of the Federal oil import quota program in this State.

In summary, the effects of the program as applied to Hawaii are beyond any doubt extremely high in discriminatory prices for petroleum and petroleum products in Hawaii. Additionally, the program as applied to Hawaii cannot possibly strengthen the national defense. On the contrary, the long run effects of the program must be to weaken Hawaii's economy, continue its high dependence upon imports for its basic food and other needs and increase the deficit in the U.S. balance of payments.

As we understand the purpose of the import quota program, the program is supposed to limit imports into the United States of foreign oil, including the products refined from such oil, and thus reserve U.S. markets for oil drawn from reserves within the United States. The resulting high prices in domestic markets are thus expected to provide a special incentive for exploration and discovery of new oil reserves in the U.S., with benefits to the national security.

In Hawaii we have the high prices in double measure, but our consultations with geologists make it clear that no one in his right mind would explore for oil in the volcanic substances which make up the Hawaiian Islands.

The Hawaii market is, moreover, being supplied with foreign oil. The quotas only determine which companies can bring in the foreign oil. The quotas make it impossible for any company not a member of the little club of oil companies to bring in foreign oil or foreign oil products.

The principal marketers in Hawaii are Standard California, Shell, Texaco, Phillips and Union. Standard operates the only refinery in the State and supplies the other companies with regular gasoline, which the latter companies may sell as regular gasoline under their own name or to which they may add coloring and odors and sell as their premium gasoline.

The crude oil refined in Hawaii comes from these different sources: from the consortium operated by Standard, Shell, Texaco and others in Iran; from the concession held by Standard, Texaco and others in Saudi Arabia and from a joint enterprise of Standard and Texaco in Indonesia.

According to the U.S. Customs Bureau, imports of crude oil into Hawaii in 1965 were from the following sources:

	Barrels
Iran	464, 928
Saudi Arabia	7, 678, 024
Indonesia	4, 042, 152
Total	12, 185, 104

When Standard wishes to have an asphalt residue, it also brings in and refines a small quantity of crude from the U.S. West Coast, because of the high asphalt content of crude from this area; and Standard ships some gasoline back to the West Coast, where it is sold at delivered prices which are about two-thirds the delivered price charged in Hawaii.

Professor John L. Hazard, Michigan State University, in a study of Hawaii's potential as a distribution and processing center cites a letter from Standard Oil of California of October 1962, indicating that the company supplied its Hawaii refinery in 1961 with only 2.5% of California crudes and 97.5% with crudes from Arabia and Indonesia (Sumatra).

And the reasons are, of course, the much lower costs of the Middle Eastern and Southeast Asian crudes, plus Hawaii's proximity to these producing areas. The Federal Trade Commission's 1952 report on the oil cartel placed the actual production costs of Middle Eastern crudes at between 27 cents and 40.6 cents per barrel.

And even at posted prices, prevailing in

1960-61, Professor Hazard found that—

"The average tanker rates were such that

during the year of 1960-61 it would have cost less to deliver crude petroleum to Hawaii from any major production center in the world than from Southern California.

"The areas of particular interest to Hawaii are the Middle East (Fao, Iraq, and Adaban, Iran, \$13.19-\$13.42 per ton of 36° A.P.I. crude) and Oceanic Southeast Asia (Lutong, Sarawak, \$18.34 F.O.B. per long ton), the lowest cost sources of crude petroleum for Hawaii.

"During the year of 1961, either of these sources could lay down comparable crudes in Hawaii for less than the base F.O.B. price at Coalinga, California (\$23.95 per long ton of 36° A.P.I. crude). Fao, Iraq, could deliver to Hawaii for \$17.90 per ton (\$13.19 F.O.B. tanker and \$4.71 tanker rate to Honolulu). Lutong, Sarawak, could lay crude down in Honolulu for about \$22.84 per long ton (\$18.34 F.O.B. Lutong and \$4.50 constructed tanker rate to Honolulu)."

In addition, the major oil companies supply large percentages of the Hawaii market for fuel oil and jet fuel from their refineries in the Persian Gulf and Caribbean areas—all made of foreign oil. For 1965, the Customs data are as follows:

Fuel oil:	
(SUV 145 AO):	Barrels
Venezuela	599, 496
Saudi Arabia	2, 641, 054
Bahrain	303, 818
(SUV UN 145):	
Saudi Arabia	223, 000
Jet Fuel:	
Dutch West Indies	1, 461, 558
Venezuela	1, 917, 814
Saudi Arabia	97, 642

By way of supporting the fiction that the Hawaii market is supplied from high-cost West Coast oil, the oil companies rig their prices in Hawaii on the basis of West Coast posted prices, plus the cost of shipping from the West Coast. This means that consumers in Hawaii pay prices which are a fictitious and artificially high West Coast price (that is, posted prices, not actual market prices on the West Coast) plus phantom freight from the West Coast.

We understand, of course, that the Federal oil import program does not require the oil companies marketing in Hawaii to set prices here on the basis of a West Coast basing point or, as for that matter, to use any basing point as a method of setting prices. We emphasize, however, that since the program limits imports of oil and oil products to the small club of established oil companies, the program creates the basic conditions whereby these companies can set prices in non-competitive ways in Hawaii.

Hawaii's problem does not, moreover, arise from an insufficient overall quota. In recent times Standard has been re-exporting about 20% of the output of its local refinery.

Accordingly, some of the suggestions which have been made for increasing Hawaii's quota, or for giving Hawaii a separate quota from the rest of District 5, would not have the slightest effect on the competitive situation or the prices being charged in Hawaii. Merely allocating a larger quota among the same oil companies would not solve our problem. And setting Hawaii up as a separate district could well lessen the possibility of a solution, in that such an arrangement might well close the Hawaii market to other companies now marketing on the West Coast, and having an overall District 5 quota.

There are quite a few large users of petroleum products in Hawaii who could purchase their requirements of these products in tanker lots, and if permitted to make such purchases at the lower prices prevailing in the various production centers, they would doubtless do so. Or, alternatively, the oil companies would adopt prices for Hawaii computed from the correct basing point.

In any case, imposition of the oil import quota program on Hawaii does not serve any

national emergency purpose. The effect of the program is to weaken the national defense. Accordingly, we recommend that Hawaii be completely removed from the program. Hawaii would have an expansion of its processing industries, an expansion of job opportunities, an expansion of business profits, a stronger preparation for national emergencies and a smaller deficit in its trade balance.

The same would be true of Hawaii's trade balance with the West Coast.

We recommend that Hawaii be relieved of the Federal oil import quota program and thus be freed of the oil companies' closed shop. Since Hawaii is using foreign oil anyway, we think that any and all companies willing and able to bring in this oil should be permitted to do so, whether for the company's own use or for resale at reasonable prices.

Sincerely,

ROBERT C. KNIGHT,
Executive Secretary.

[Letter by Honolulu Building & Construction Trades Council, June 6, 1967]

HON. STEWART UDALL,
Secretary of the Interior, U.S. Department
of the Interior, Washington, D.C.

DEAR MR. SECRETARY: On behalf of the Honolulu Building & Construction Trades Council, AFL-CIO, I appreciate the opportunity to comment on the effects of the Federal oil import quota program.

The first and most obvious effect of this program, as imposed on Hawaii, is to create a closed shop for the international brotherhood of big oil companies. All of the bad effects on workers, consumers and business in Hawaii flow from this closed shop.

In Hawaii, unfortunately, this kind of closed shop permits the oil companies to set prices and extract profits without any countervailing restraints.

Hawaii's business community is at all times prepared to resist any request for a cost-of-living wage increase. But as is well known, when Hawaii businesses, consumers and workers are being robbed by some big business interests, Hawaii's business community looks the other way and whistles "Sweet Liliha". So there is little effective pressure from the business community to restrain the oil companies.

Furthermore, there is no Federal or State regulation of prices and profits of the oil companies, as is the case with other monopolies. Certainly these companies ought to be under strong public regulation, but they are not.

According to the Presidential Proclamation (No. 3279) which imposed this program, the purpose of the program is to limit the use of imported oil—and products of same—in domestic markets. As applied to Hawaii, the quotas in no way limit the use of imported oil, they only restrict the privilege of importing the oil to the favored few. The result is stratospheric prices for which the people of Hawaii pay, and pay many times over, both in hard-earned money and in lost job opportunities.

In the case of gasoline, consumers in Hawaii pay the oil companies more in overcharges than they pay the State in gasoline taxes.

A fully valid comparison of gasoline prices would take account of the fact that gasoline sold in Hawaii is refined from low-cost foreign oil.

On the West Coast, gasoline is made in part from high-cost domestic oil, and in part from foreign oil from the same sources as the oil refined in Hawaii, but shipped over much greater distances and at greater costs.

Even so, comparisons between Hawaii and West Coast prices will throw some light on the subject, though they will not fully illuminate the subject.

According to the *Oil and Gas Journal*, one of the Bibles of the oil industry, spot prices of regular 90 octane gasoline on April 26 averaged 12.5 cents per gallon, f.o.b. refinery in the Los Angeles area—exclusive of taxes. In Hawaii, the major oil companies—with one exception—were charging their dealers 18.4 cents, delivered in the Honolulu metropolitan area. One enterprising company, Union, was delivering Standard's regular gasoline to its dealers and charging the dealers 19.4 cents.

Comparing the prices paid by consumers at the retail service station in Honolulu on April 26, with corresponding prices of major-brand regular gasoline reported by the *Oil and Gas Journal* for several West Coast cities on the same date, we find the following—exclusive of taxes:

Major-brand regular gasoline (excluding taxes)

Honolulu	28.7
Los Angeles	22.9
San Diego	22.9
San Francisco	23.9
Seattle	22.4
Spokane	20.4

Keeping in mind that crude oil costs on the West Coast are higher than in Hawaii, it is apparent that Honolulu customers of gasoline are being overcharged by 8.3 cents per gallon, even as compared to Spokane; and overcharged 6.3 cents per gallon even compared to Los Angeles, San Diego and Seattle.

The overcharge compared to Spokane means that consumers in Honolulu are paying \$15.4 million a year in overcharges on gasoline. Alternatively, the overcharge compared to Los Angeles, San Diego and Seattle means that Honolulu consumers are paying \$11.7 million a year in overcharges.

In contrast, consumers in Hawaii are paying the State \$9.3 million in gasoline taxes and paying the Federal government \$5.4 million in gasoline taxes. In other words, Hawaii consumers are paying the oil companies more in overcharges than they are paying in taxes to the Federal and State governments combined.

As compared to the 28.7 cents per gallon, exclusive of all taxes being charged in Honolulu, the *Oil and Gas Journal* gives prices for other cities—in addition to those already quoted—as set out below. Some of these include $\frac{1}{2}$ and 2 cents per gallon local tax. The Honolulu price is one quarter higher than the average of U.S. cities.

Retail prices of major-brand regular gasoline, exclusive of taxes

Albany	22.90
Albuquerque	23.40
Amarillo	21.90
Atlanta	22.40
Baltimore	22.90
Birmingham	18.90
Boston	22.40
Buffalo	22.90
Charlotte	22.90
Cheyenne	26.90
Chicago	24.90
Cleveland	21.90
Corpus Christi	16.90
Dallas	20.90
Denver	24.90
Des Moines	23.90
Detroit	22.90
Fort Worth	21.90
Houston	20.90
Indianapolis	24.90
Jacksonville	21.90
Kansas City	22.90
Little Rock	21.40
Louisville	21.90
Los Angeles	22.90
Memphis	19.90
Miami	18.90

Retail prices of major-brand regular gasoline, exclusive of taxes—Continued

Milwaukee	18.90
Minneapolis-St. Paul	23.90
Newark	21.90
New Orleans	20.90
New York	23.90
Norfolk	18.90
Oklahoma City	23.40
Omaha	24.40
Philadelphia	18.90
Phoenix	23.90
Pittsburgh	20.90
Portland, Ore.	22.90
Salt Lake City	22.90
San Antonio	21.90
Springfield, Ill.	24.90
St. Louis	24.90
Tampa	14.40
Texarkana	21.90
Tulsa	23.40
Wichita	23.90
Wichita Falls	21.90
Week's average	22.10
April average	22.17

In view of the widely known facts of the oil business, we do not imagine that the major oil companies suffer from any really competitive prices anywhere in the world. Thus the objection we are making is not that these companies normally take monopoly profits. We would have to expect them to make monopoly profits even if they had no Federal import quota program to help them.

What we are objecting to is the special additive of super high-octane monopoly profits—the TPC, or Territorial Profits Concentrate—which they are taking in Hawaii.

Let the record be clear that the monopoly profits are not at the retail service station level—the segment of the oil industry which usually gets investigated when loud complaints are made about the high gasoline prices in Hawaii. There is neither record nor rumor of anyone's ever getting rich from operating a retail service station in Hawaii.

In point of fact, at the present time some of the oil companies are expending generous portions of their monopoly profits in erecting new service stations, thus bringing about more intense competition among the retail operators.

Indeed, Hawaii's land area is rapidly being overlaid with filling station architecture—a traditionally hideous prefab which now comes in Space Program colors that paralyze the eye and leave it incapable of seeing the blossoms of bougainvillea and flame tree. Our younger citizens think the Outdoor Circle refers to the great orange ball which now dots the Hawaii landscape.

Aside from this highway and byway beautification program, however, we are unable to discern any good use being made in Hawaii of the monopoly profits which the oil companies are taking from the State. Nor are we persuaded that these oil companies really need these premium profits to pay the rent, keep the children in shoes or make the stockholders happy.

Hawaii has a population of only three-fourths of a million people. The huge burden of overcharges these people bear cannot really make a significant difference in global profits of the oil companies doing business here. According to Moody's Manual, the admitted profits of the 5 big oil companies marketing in Hawaii totaled in excess of \$1.9 billion in 1966—after taxes. Thus if these companies had taken \$100 less, last year, per each family in the State than they actually did take, their combined after-tax profits would have been reduced by only about 1%.

The book value of the assets of these 5 companies—\$27.7 billion—is more than 5 times the gross value of all the land and other real property in Hawaii.

WORLDWIDE SALES, ASSETS, AND AFTER-TAX PROFITS OF
5 BIG OIL COMPANIES DOING BUSINESS IN HAWAII IN
1966

	(In billions)		
	Sales	After-tax profits	Assets
Phillips	1.7	0.15	2.7
Union	2.4	.21	2.7
Standard of California	3.3	.23	3.8
Texaco	4.4	.63	6.4
Shell group	10.3	.71	12.1
Total	22.1	1.93	27.8

¹ Includes Tidewater.

² Shell's data is for 1965.

Source: Moody's Manual of Industrials.

From the standpoint of labor—and from the standpoint of the State's general welfare—the worst effect of the oil companies pricing practice is not that it robs us of a large portion of our low wages. The worst effect is that it robs us of job opportunities for earning any wages.

Imported oil is the only source of power available in Hawaii. Power costs are, moreover, a very important factor in determining where industries will locate and grow.

Hawaii imports such of its processed food and other products from Japan, for example. And the Japanese business community is not noted for whistling "Sweet Lellani" when it is handicapped in competing either in world markets or its local market. Such admirable qualities are worthy of imitation in Hawaii.

We suggest that if the American oil companies would sell oil to Hawaii at the same f.o.b. point-of-origin prices which they charge Japan for the same oil from the same sources, Hawaii would have an expansion of its processing industries, an expansion of job opportunities, an expansion of business profits, a stronger preparation for national emergencies and a smaller deficit in its trade balance.

The same would be true of Hawaii's trade balance with the West Coast.

We recommend that Hawaii be relieved of the Federal oil import quota program and thus be freed of the oil companies closed shop. Since Hawaii is using foreign oil anyway, we think that any and all companies willing and able to bring in this oil should be permitted to do so, whether for the company's own use or for resale at reasonable prices.

Sincerely,

HONOLULU BUILDING & CONSTRUCTION
TRADES COUNCIL, AFL-CIO,
J. C. REYNOLDS, Secretary-Treasurer.

[Resolution adopted by the City Council, City and County of Honolulu, July 18, 1967]

RESOLUTION No. 294

Whereas, the Oil Import Administration of the Department of the Interior has held public hearings for the purpose of receiving testimony and statements on all phases of the mandatory oil import control program; and

Whereas, the Director, Office of Emergency Planning, Executive Office of the President, is conducting an investigation into the question of liberalizing the petroleum import quotas with respect to asphalt as it affects the national security and this question is directly related to the oil import control program; and

Whereas, in his statements to the Department of the Interior and to the Office of Emergency Planning, the Honorable John A. Burns, Governor of the State of Hawaii, has requested that Hawaii be exempted from the provisions of the oil import program because the program as it applies to Hawaii (1) has no effect on the national security by which the program may be justified but

does substantial injury to the national security, as well as creating a dollar drain; (2) does not meet the stated purposes of preserving the domestic market for crude oil products inasmuch as substantially all of the crude oil requirements in Hawaii are provided by foreign oil; and (3) enables the major oil companies to charge excessively high and discriminatory prices for petroleum products in Hawaii; and

Whereas, petroleum products sold in Hawaii are generally priced at West Coast prices, plus shipping and other costs, thereby imposing a disproportionate burden upon the people of the State of Hawaii; and

Whereas, imported oil and oil products are the only significant source of energy available to Hawaii and their excessively high costs are of critical importance not only to the economy of the State but to our national security as well; and

Whereas, under its present provisions Puerto Rico and the Virgin Islands have been exempted from the oil import quota program; and

Whereas, the Council of the City and County of Honolulu wishes to go on record as supporting the Governor of the State of Hawaii that Hawaii be exempted from the provisions of the oil import control program; now, therefore,

Be it resolved by the Council of the City and County of Honolulu that the Oil Import Administration of the Department of the Interior and the Office of Emergency Planning, Executive Office of the President be, and they are, hereby respectfully urged to exempt the State of Hawaii from the provisions of the oil import control program; and

Be it further resolved that the Clerk be, and she is, hereby directed to transmit copies of this resolution to the Honorable Elmer L. Hoehn, Administrator, Oil Import Administration of the Department of the Interior, Washington, D.C.; the Honorable Farris Bryant, Director, Office of Emergency Planning, Executive Office of the President, Washington, D.C.; to each of Hawaii's Congressional representation, the Honorable Hiram L. Fong and Daniel K. Inouye, members of the Senate, and to the Honorable Spark M. Matsunaga and Patsy T. Mink, members of the House of Representatives; the Honorable John A. Burns, Governor of the State of Hawaii; and to Dr. Shelley Marks, Director, Office of Economic Planning and Development of the State of Hawaii.

[Letters and statement of James F. Gary, president, Honolulu Gas Co., to Mr. Hoehn, on the import of low-sulfur residual fuel oil to district V, Aug. 18, 1967]

DEAR SIR: The following changes are recommended to the proposed OIA Rules concerning the import of low-sulfur residual fuel oil to District V.

1. Modify by insertion of the underlined phrase in the definition of residual fuel oil or interpret it to read "Residual fuel oil—topped crude oil or viscous residuum which has a viscosity of not less than 45 seconds Saybolt Universal at 100 Degrees F. and crude oil which has a viscosity of not less than 45 Second Saybolt Universal at 100 Degrees F. and which is to be used as a raw material for producing methane-rich utility fuel gas in an existing public utility gas-making plant or as fuel without further processing other than by blending by mechanical means; this new definition expands the viscosity range of fuel oil and permits imports under a residual fuel oil license of oil of lower viscosity than was heretofore permitted."

2. Modify by insertion of the underlined phrase or interpret the words "residual fuel oil to be used as fuel" wherever they appear to read "residual fuel oil to be used as fuel or processed to methane-rich utility fuel gas."

The attached indicates where the above changes should be made and contains our arguments for such rule modifications.

Very truly yours,

JAMES F. GARY.

COMMENTS BY HONOLULU GAS CO., LTD., ON
PROPOSED RULES COVERING LOW-SULFUR
RESIDUAL FUEL OIL IMPORT ALLOCATIONS,
AUGUST 21, 1967

The Department of the Interior's proposed rules provide that, for the first time, residual oil may be imported for further processing instead of being limited to use for fuel only. To help alleviate air pollution, oil import regulations have been modified to allow the quota-free import of low-sulfur residual fuel oil or crude and unfinished oils which can be processed into low-sulfur residual fuel oil.

FEDERAL AIR POLLUTION ABATEMENT PROGRAM

The Secretary of Health, Education and Welfare recently made the following air-pollution abatement recommendations enforceable eventually in the Federal courts, to a two-state area:

1. Prohibit construction of new power-generating facilities without a guaranteed 20-year supply of 0.3% sulfur fuel oil.
2. Restrict fuel used in existing plants to a sulfur content of no more than 1.0% wt after October 1, 1969, or require sulfur dioxide removal from stack gases.
3. Restrict fuel used for space heating and other domestic, commercial and industrial purposes after October 1, 1969 to natural gas, coal of no more than 0.2% sulfur, or oil with no more than 0.3% sulfur.

In order to meet the low-sulfur flue gas quality recommended by HEW, the energy industry has the following alternatives to obtain the required fuels:

1. Greatly increase the availability of natural gas;
2. Desulfurize the currently available high-sulfur domestic fuel oils;
3. Remove sulfur dioxide from oil and coal-burning stack effluents;
4. Import finished low-sulfur fuel oil from foreign sources; or
5. Import and process foreign low-sulfur crude or unfinished oils in U.S. refineries to produce low-sulfur fuel oil.

During the year 1966, the gas utilities in the United States sold 125 billion therms of gas. Of this, less than one-tenth of one per cent (50 million therms) is estimated to have been utility fuel gas manufactured from oil. The Honolulu Gas Company, Ltd., manufactured forty per cent of the nation's manufacture utility fuel gas which it processed from 600,000 barrels of heavy residual fuel oil.

HONOLULU'S AIR POLLUTION ABATEMENT
PROGRAM

Natural gas, which already supplies one-third of our nation's energy, is not economically available in sufficient quantities to supplant industry's use of high sulfur fuel oil in urban areas. Therefore, utilities and heavy industries using available high sulfur residual fuel oil would have to bear the total additional desulfurizing costs to meet air pollution abatement regulations unless the additional import allocations of lower cost foreign low sulfur residual oil and foreign crude or unfinished oil to produce it were being permitted.

Under the proposed interpretation of low sulfur oil import rules, the low sulfur residual fuel oil used for the manufacture of utility fuel gas may not clearly qualify for the proposed additional allocations. This, we believe, is an oversight. Utility gas manufacturing plants process by reforming residual fuel oil to produce a synthetic natural gas form of energy.* Similarly, electric generating plants and heating plants process the same type of fuel oil to electrical or steam energy. All these types of utilities

compete directly with fuel oil for the heat and power markets.

The Honolulu Gas Company, Ltd., now pays a premium for a low sulfur residual fuel oil processed from Indonesian crude oil imported by a local refiner. This higher priced fuel is voluntarily selected over much lower priced high sulfur residual fuel oil because of our concern with air pollution abatement at our gas manufacturing plant in downtown Honolulu and the costs of sulfur removal. Although the manufactured raw fuel gas has the same sulfur content as the residual fuel oil from which it is produced, deep chemical desulfurization and refining of the sour gas results in a fuel equally desirable to natural gas in the air pollution battle. Since Hawaii may never have natural gas pipelined 2,500 miles from overseas producing fields, methane-rich utility fuel gas manufacturing from low sulfur residual fuel oil may continue to supply indefinitely this island state's natural gas energy requirements. Although this synthetic natural gas costs approximately three times as much as continental U.S. natural gas, it supplies the critical use requirements of some 70,000 homes, businesses and industrial operations. Hawaii's utility fuel gas service is obviously fulfilling a vital state energy requirement as gas use has increased eight per cent during the past eight months!

NATURAL GAS EXEMPTION FROM OIL IMPORT REGULATIONS

Natural gas (methane) has always been specifically excluded from the Oil Import Administration's control, regardless of whether it is burned as fuel, used as petrochemical charging stock, or processed in the refinery to assist in the production of premium liquid petroleum fuels. This fact indicates the intent of the Presidential Proclamation 3279 as amended should be to similarly exclude Hawaii's methane-rich fuel gas from the controls placed on all other petroleum (liquefied gases, crude oil, unfinished oils, residual fuel oil, and finished products). If such is not done, there would exist a clear-cut case of discrimination against Hawaii's only gas energy resource.

Since the Department of Health, Education, and Welfare has publicly recognized the premium value of natural gas (methane) energy in air pollution abatement where natural gas is available, the Federal Administration should fulfill this request to include clearly in the current O.I.A. amendment rules for the allocation in District V of imported low sulfur residual fuel oil required for the production of Hawaii's petroleum derived substitute "synthetic" natural gas (methane-rich utility fuel gas).

Since quota-free foreign low-sulfur residual fuel oil is being made available through import allocations for electrical power generation, steam production, heating, incineration and air conditioning at nearly the same price as domestic high-sulfur oil, such operations will have complied with the air-pollution regulations without any major increase in operating cost. The same economic opportunity to utility gas-making operations which produce an even higher quality, cleaner gas fuel should certainly be provided for in the final rules.

DEFINITION

Utility fuel gas (but not liquefied gases), which has a specific gravity of less than 1.0, is produced by the processing (reforming) of crude oil or unfinished oil. Its manufacture is economically limited to heavily populated areas where pipeline natural gas is not available. This methane-rich substitute natural gas is used directly as fuel in the generation of heat or power without further processing other than by mechanical blending. Utility fuel gas is normally produced and distributed by the same gas utility company, and the only oil gas plants still operating

are in a few geographically isolated cities such as Honolulu, Hawaii and Bangor, Maine.

DEAR MR. HOEHN: This is in reply to your public offer to submit written suggestions concerning the proposed rules on allocations of imports covering low-sulfur residual fuel oil.

The City of Honolulu and the State of Hawaii are extremely sensitive to air pollution. Consequently, the City and State strongly support the Presidential amendment which will enable our energy industries to obtain a higher quality low-sulfur residual fuel oil at reasonable costs.

However, the amendment and the proposed rules do not provide clearly for the import allocation of low-sulfur residual fuel oil need for the manufacture of utility fuel gas (substitute natural gas) required only by Hawaii in District V. This can be corrected by accepting the recommendations in the attached presentation.

The suggested revisions to the proposed rules contained in the attached presentation would:

1. Make available more economical low-sulfur foreign residual fuel oil required for the manufacture of utility fuel gas in District V.

2. Reduce air pollution in Hawaii and especially in Honolulu and the Island of Oahu where natural gas is not and may never be available.

3. Provide an alternate to the direct consumption of low-sulfur residual fuel oils as the principal means of combating air pollution. It will permit the necessary production of premium-quality utility fuel gas for commercial and smaller industrial consumers ill-equipped to properly control and maintain oil-fired equipment.

This proposal does not conflict with the objectives of the Oil Import Program and supports the intent of the recent amendment. It will permit a manufacturer of utility fuel gas to obtain from a refiner or marketer foreign-derived residual fuel oil which has been imported under the new low-sulfur residual fuel oil allocation procedure.

Furthermore, decontrol of the low-sulfur oil required for utility gas manufacture will also remove controls from methane-rich utility fuel gas which is Hawaii's current substitute for natural gas. This complies with Presidential Proclamation 3279 which specifically excludes natural gas and methane from the oil import control program.

Approval to obtain foreign residual fuel oil outside of the oil import quota will result in reducing the high cost of low-sulfur residual fuel oil required to produce Hawaii's synthetic natural gas, directly benefiting both Hawaii's economy and its clean-air program.

If we can be of assistance in providing further background material, we shall be pleased to so cooperate.

Very truly yours,

JAMES F. GARY,
President.

[Resolution adopted by the second biennial convention in Honolulu, Hawaii, of the Hawaii State Federation of Labor, AFL-CIO, Sept. 1967 regarding the oil import program]

RESOLUTION 42

Whereas, Hawaii is unique among the fifty states of the Union in that, being 2,200 miles from the Mainland, it does not have available to its economy such energy sources as coal, natural gas, or hydroelectric power;

Whereas, since the industrial revolution, those areas of the world that have been fortunately endowed with low cost energy are those that have enjoyed high productivity and high incomes and conversely, others have made little economic progress;

Whereas, Hawaii depends upon imports of foreign oil for its energy and such oil and the

refined products therefrom is used to generate our electricity, make our synthetic gas, drive our trucks, automobiles, agricultural machines and the ships and aircraft which take our products to markets and bring from overseas our necessary supplies;

Whereas, on the basis of prices at which this foreign oil is offered for sale f.o.b. points of origin, plus costs of shipping at commercial tanker rates, independent buyers in Hawaii would be able to obtain their supplies at substantially lower prices than they are charged by the oil companies which are permitted to refine foreign oil or market the products of such oil in Hawaii;

Whereas, studies by the Stanford Research Institute have shown that the overcharges imposed upon Hawaii by these companies amounted to at least \$14 million a year on the volume consumed in Hawaii five years ago;

Whereas these overcharges at the present time are conservatively estimated to exceed the State's total revenue from the general 4% general excise tax on food and drugs;

Whereas, these overcharges on oil and refinery products sold in Hawaii are a direct result of a Presidential Proclamation of President Lyndon B. Johnson, which Proclamation prohibits any person from importing into Hawaii any foreign oil or refinery products of same, except those oil companies which had oil refineries in operation in the U.S. during the year 1958;

Whereas, these overcharges imposed upon Hawaii by President Johnson's Proclamation have been well known by and fully discussed with political leaders for a number of years, but nothing has been done,

Whereas, it is now time to recognize that relief through political channels may never come; and the time has now come to turn to the Federal Courts for justice;

Whereas, success in the courts will require for Hawaii an advocate of unusual skill and unquestionable determination; and Hawaii is fortunate to have such an advocate in the person of Lieutenant Governor Thomas P. Gill, the principal architect of Hawaii's anti-trust laws;

Whereas, Lieutenant Governor Gill has exceptional expertise in the legal and political issues involved in our present problem, and his persistent championship of consumer protection measures in Hawaii has proven his loyalty to consumers beyond a doubt;

Whereas, preliminary consultations with experts in the fields of constitutional and anti-trust laws indicate that Hawaii might obtain relief from the "oil import quota program" imposed by President Johnson in either of two ways: One way is through a suit by the State of Hawaii on behalf of its citizens; and the other possibility is a suit by a group of taxpayers on behalf of Hawaii;

Whereas, the AFL-CIO Federation of Hawaii, representing as it does 32,000 members of organized labor in Hawaii, is by far the most responsible body of taxpayers to bring such a suit;

Now, therefore, it is hereby resolved that Lieutenant Governor Gill is requested to make a determination as to the best legal method of obtaining for Hawaii exemption from the "oil import quota program" and to take such steps as may be necessary to achieve the legal remedies which we seek and which Hawaii so sorely needs;

It is further resolved, that Governor John A. Burns is requested to employ his good offices to provide the resources and staff of the Attorney General and other government departments as required for the successful achievement of this resolution;

It is further resolved, that copies of this resolution be transmitted to Governor John A. Burns, Lieutenant Governor Thomas P. Gill, to each member of Hawaii's Congressional delegation, and to the national office of the American Federation of Labor, AFL-CIO.

[Letter of Representative PATSY T. MINK to Mr. HoeHN Nov. 16, 1967]

DEAR MR. HOEHN: I am writing to urge that you give every consideration to re-examining your recent decision not to allow exemption for Hawaii from the import quota restrictions which were recently reviewed by the Department.

Having been advised that the exemption was denied on the basis that it would be discriminatory against other States, may I respectfully point out how discriminatory it is to Hawaii, the only insular State, to be forbidden to purchaser larger quantities of fuels which are brought to our State from foreign countries, especially since we lack any domestic source of fuel.

The consumers of my State would be able to save an estimated \$14 million per year from the excessive power costs they must bear if Hawaii's geographic uniqueness, along with the immediate availability of foreign oil at reasonable prices, were taken into consideration.

On behalf of my State, I will be deeply grateful for a review of the effects on Hawaii's economy of being included in District V, and for reconsideration that can be given to our previous request for establishment of Hawaii as a single District with an exemption from existing import restrictions.

Very truly yours,

PATSY T. MINK,
Member of Congress.

Hon. STEWART L. UDALL,
Secretary, Department of the Interior, Washington, D.C.

DEAR MR. SECRETARY: I am forwarding a copy of a Concurrent Resolution approved by the Hawaii State Legislature requesting that Hawaii be relieved of the mandatory oil import quota program created pursuant to Proclamation No. 3279.

I would appreciate all consideration that you may extend to this request as the need for additional imports of oil is growing daily.

I would also appreciate a review and reply as soon as possible.

Thank you very much.

Very truly yours,

PATSY T. MINK,
Member of Congress.

[Fourth State Legislature of the State of Hawaii, concurrent resolution adopted Mar. 28, 1968]

CONCURRENT RESOLUTION

Whereas, Hawaii is unique among the fifty states of the Union in that, being 2,200 miles from the mainland United States, it does not have readily available to its economy such energy sources as coal, natural gas, or hydroelectric power; and

Whereas, Hawaii is dependent upon imports of foreign oil for its energy to turn the wheels of its industries, generate its electricity, make its synthetic gas, and drive its trucks, automobiles, agricultural machines and the ships and aircraft which take its products to market and bring from overseas necessary supplies; and

Whereas, Presidential Proclamation No. 3279 established a mandatory oil import quota program to safeguard our national security by providing special incentives for exploration and discovery of new oil reserves in the United States; and

Whereas, the foreign oil import quota program does not serve any national defense purpose in Hawaii since the program does not result in the use of crude oil or crude oil products from the continental United States, and there is no indigenous oil supply nor is any supply expected from the volcanic substances which make up the Hawaiian Islands; and

Whereas, the effect of the quota program has been to lessen the normal forces of

competition among oil companies in Hawaii; and

Whereas, prices charged by the oil companies in Hawaii for oil products refined from low-cost foreign crude oil are generally as high or higher than prices charged on the west coast for products refined from the higher-cost west coast crude oil; and

Whereas, the present high cost of oil is detrimental to the entire economy of Hawaii; and

Whereas, there is presently in Hawaii no feasible alternative source of energy to oil; now, therefore,

Be it resolved by the Senate of the Fourth Legislature of the State of Hawaii, Budget Session of 1968, the House of Representatives concurring, that the President of the United States is requested to review the effects of the foreign oil import quota program in Hawaii, re-evaluate Hawaii's unique geographic and economic situation, and provide relief by exempting Hawaii from the program with respect to oil and oil products consumed in Hawaii or exported to foreign countries; and

Be it further resolved that Hawaii's delegation to the Congress of the United States be and they are hereby requested to use their best efforts to secure relief for Hawaii by convincing the President of the United States that Hawaii should be exempted from the Oil Import Quota Program; and

Be it further resolved that duly certified copies of this Concurrent Resolution be transmitted to President Lyndon B. Johnson, Senator Hiram L. Fong, Senator Daniel K. Inouye, Congressman Spark M. Matsunaga, Congresswoman Patsy T. Mink, and Miss Betty Furness, the President's advisor on Consumer Affairs.

[Letter of Lt. Gov. Thomas P. Gill to Mr. HoeHN, April 4, 1968]

DEAR MR. HOEHN: We have recently received copies of your notice of proposed rule making dated March 13, 1968 asking for written comments, suggestions, or objections with respect to the proposal.

This office is not sufficiently informed on the intricacies of the industry generally to comment on the specific language used in the proposed regulation.

However, the State Legislature recently passed a concurrent resolution asking that Hawaii be relieved of the oil import program because of its damaging effect on our economy. The reports from both committees concerned, and the resolution as passed, are enclosed.

In line with this concern, the Attorney General of the State has recently filed an antitrust action against certain oil companies doing business in the State. A copy of the complaint is enclosed for your information.

In view of the foregoing, we can say that any change in the oil import regulations which would make it more difficult for a small independent refinery-petrochemical enterprise to establish itself in Hawaii and operate using foreign or unfinished oil would be a step in the wrong direction. We are deeply in need of alternative sources of petroleum products so that there can be some viable element of price competition in our small rather specialized market. We also need alternative production facilities in case of a natural disaster or national defense emergency. We have further been informed there is a reasonable possibility of certain new industries based on petrochemicals providing a reasonably priced source of raw material is available.

We hope that public hearings will be held on these and related matters so that interested parties in the State may make a more complete presentation.

Sincerely,

THOMAS P. GILL,
Lieutenant Governor.

[Letter of Roy J. Leffingwell, executive vice president Hawaii Manufacturers Association to Mr. HoeHN on the proposal to auction oil import licenses, Apr. 19, 1968]

DEAR MR. HOEHN: Thank you for this opportunity to comment on the proposed change in OIA Regulation to auction oil import quotas instead of providing free quotas to eligible persons.

The Hawaii Manufacturers Association represents a membership which produces approximately 80% of the diversified manufactured volume in Hawaii. We are vitally concerned with the effect OIA regulations have and will have on costs, availability and security of petroleum fuel and energy supplies for Hawaii's growing economy, and the impact they are certain to have on our industrial growth and diversification.

The position of our association, and we feel this representative of the average citizen of Hawaii, is that this Island State should not come under the proposed oil import quota "auction system." HMA offers no opposition to the national security aspect of the Oil Import Program, but requests equitable consideration due to natural economic circumstances beyond our control. We are separated by 2,200 miles of international waters. (Puerto Rico has received special consideration when separated by only 1,000 miles.) And, the lack of indigenous fossil fuels precludes any justification in having Hawaii under the same OIA regulations that govern the North American continent.

The additional cost of purchasing import quotas must be passed on to the consuming public, resulting in increased petroleum products prices. Petroleum-derived energy is the only available power for our manufacturing industry, and price increase in this primary energy source will further raise our already high manufacturing costs and price Hawaii-manufactured products out of the local market.

Creation of a foreign trade zone or separate District VI encompassing the entire six-Island State of Hawaii and exempting this district refining and marketing area from continental oil import quota requirements would establish a more equitable and fair treatment of Hawaii. Such a classification for Hawaii would not in any way jeopardize the Oil Import Program for:

1. Hawaii does not have, and geologically is impossible to have, a fossil fuel recovery (coal mining, crude oil or natural gas production) industry that needs the encouragement and protection of the Oil Import Program;

2. All crude and finished petroleum products must be imported over at least 2,200 miles of international waters, which negates security of overland supply reasons of the North American Program;

3. Virtually 100% of the crude and 85% of all petroleum products are now imported from foreign sources and would not materially affect consumption of domestic petroleum products (see attachment).

Should the foreign trade zone or District VI concept be accepted for Hawaii, import allocation credits now used for Hawaii should be abolished. This will maintain the present status of importation to the other continental states of District V. Any Hawaii refined product exported to the Mainland would then come under the existing foreign product quota system.

The concept of a Hawaii foreign trade zone or District VI is fully justifiable under the refining-marketing areas into which OIA classified the five (5) oil import districts. Puerto Rico, the Virgin Islands and Hawaii do not sensibly come under the continental refining and marketing areas. OIA currently recognizes this discrepancy in classification since Puerto Rico and the Virgin Islands have just been granted special quotas. However, Hawaii is still strictly bound to the outdated

quota system of District V as though it was supplied by West Coast petroleum fuels.

Another example of inequity is our inability to import overland quota-free products. During 1967, approximately 50 per cent of all imported foreign crude and petroleum products entering District V was produced in Canada and entered our sister states "quota free." Hawaii's geographic isolation does not permit the same flexibility, economic benefit or security of this quota-free crude and finished product supply.

We, therefore, again urge that Hawaii be exempt from the unfair discrimination of inclusion in District V and that this geographically isolated State be placed in an entirely different category as District VI with the right to import quota-free oil without the proposed fuel "tax" inherent in the auctioning plan.

Sincerely,

ROY J. LEFFINGWELL,
Executive Vice President.

[Letter of Paul C. Joy, vice president, Honolulu Gas Co., to Mr. Hoehn on the proposal to auction oil import licenses Apr. 19, 1968]

DEAR MR. HOEHN: Thank you for this opportunity to comment on the proposed change in OIA Regulation to auction oil import quotas instead of providing free quotas to eligible persons.

Honolulu Gas Company offers no opposition to the national security aspect of the Oil Import Program, but requests equitable consideration for natural economic circumstances beyond Hawaii's control. This multi-island State's geographical isolation from the Mainland, separated by 2,200 miles of international waters (Puerto Rico is separated by 1,000 miles) and its lack of indigenous fossil fuels precludes any justification in having Hawaii under the same OIA regulations that govern the North American continent. Therefore, *Hawaii should not come under the proposed oil import quota auction system.*

Hawaii's cost of living is already 15% higher than the 48 contiguous Mainland states and the additional cost of purchasing import quotas passed on to the consuming public will result in increasing currently high petroleum prices and a further increase to our cost of living.

Creation of a foreign trade zone or a separate District VI encompassing the entire six-island State of Hawaii and exempting this distinct refining and marketing area from the continental oil import quota requirements would establish an equitable and fair treatment for Hawaii. Such a classification for Hawaii would not in any way jeopardize the Oil Import Program for:

1. Hawaii does not and will never have a fossil fuel recovery (coal mining, crude oil or natural gas production) industry that needs the economic encouragement and security protection of the Oil Import Program;

2. All crude and finished petroleum products must be imported over at least 2,200 miles of international waters, which negates security of overland supply reasons of the import program for North America;

3. Virtually 100% of the crude refined and 85% of all petroleum products consumed in Hawaii are now imported from foreign sources; thus, the recommended change would not materially affect consumption of domestic petroleum products (see attachment) as the present rules do not accomplish the objective as stated by Mr. Hoehn, "by reserving a portion of the domestic market for domestic petroleum," as far as Hawaii is concerned.

Should the foreign trade zone or District VI concept be accepted for Hawaii, District V import allocation credits now generated by petroleum consumption in Hawaii should be abolished. This will maintain the present ratios of importation to the other continental states of District V. Any Hawaii refined prod-

uct exported to the Mainland would then come under the existing foreign product import quota system unless equitable consideration is granted to Hawaii as has been to Puerto Rico and the Virgin Islands.

The concept of a Hawaii foreign trade zone or District VI is fully justifiable under the refining-marketing areas into which OIA classified the five (5) oil import districts. Puerto Rico, the Virgin Islands and Hawaii do not sensibly come under the continental refining and marketing areas. OIA currently recognizes this discrepancy in classification as Puerto Rico and the Virgin Islands have just been granted new special quotas. However, Hawaii is still strictly bound to the outdated discriminatory quota system of District V as though it was using domestic crude oil derived fuels refined in District V supplied from the West Coast by pipeline, rail or truck.

Another example of the discrimination inherent in the present regulation is Hawaii's inability to import "overland" quota-free products from Mexico and Canada. During 1967 51.5% of all imported crude entering District V entered from Canada; 48.5% of all imported refined finished products entering District V were produced in Canada. Hawaii's overseas position forbids us the economic benefit, flexibility or security of Canada's quota-free crude or product supply yet this State is physically as close to Canada as to the State of District V.

"Synthetic natural gas," Honolulu Gas Company's major fuel product, does not come under the jurisdiction of OIA. Because of Hawaii's lack of natural gas and liquefied petroleum gas, we are required to produce this substitute natural gas from residual fuel oil and the liquefied petroleum gas from unfinished oils. Gas companies on the Mainland can import natural

and LP gas from Canadian sources or other States without any restrictions from OIA. Our utility gas product is essentially similar (925 Btu/cf and 0.74 Sp. Gr.) to natural gas except in its origin it is made by man instead of by nature. Therefore, the importation of foreign residual oil used for the manufacture of "synthetic natural gas" should be exempted from OIA regulations. The auction program you propose must not apply to such residual fuel oil or liquefied petroleum gas as required to supply Hawaii's gas consumers for it would only result in an unfair "tax" and a resulting increase in energy cost to both utility gas and bottled gas consumers.

Ours is the only base load utility gas generation operation of its type in the United States; we do not foresee the Honolulu Oil Gas Process becoming economically feasible on the North American continent as long as pipelined natural gas, liquefied petroleum gas, or coal for the production of synthetic natural gas is available. Therefore, we see no future difficulties in or proliferation of the requested ruling to exempt from "quota and auctioning" Hawaii's residual oil and liquefied petroleum gas uniquely required in this multi-island State to meet its natural gas fuel requirements.

We, therefore, again urge that Hawaii be exempt from the inequity of inclusion in District V and that this geographically isolated island State be recognized for what it is and placed in an entirely separate petroleum production, refining and marketing category as District VI with the full right to import quota-free energy from our most convenient, reliable and economical sources.

Very truly yours,

PAUL C. JOY,
Vice President.

PETROLEUM DATA FOR HAWAII, 1966—1966 OIL IMPORTS INTO HAWAII, U.S. CUSTOMS

Commodity	Code	Country	Quantity (barrels)
Fuel.....	517	Saudi Arabia.....	2,318,986
	225	Panama.....	428,585
	307	Venezuela.....	304,111
	519	Arabian Peninsula States (Yemen, Muscat and Oman, etc.)	336,362
	525	Aden.....	824,182
Total.....			4,212,226
Crude.....	517	Saudi Arabia.....	6,903,219
	560	Indonesia.....	3,521,026
	507	Iran.....	1,286,053
Total.....			11,710,298
LPG.....	517	Saudi.....	98,949
Jet.....	277	Netherlands Antilles.....	2,213,752
	307	Venezuela.....	2,996,288
	274	Trinidad.....	102,765
	122	Canada.....	1,377
Total.....			5,314,182
Total imports (1966).....			21,335,655

[Statement of Hawaii State Senate President John J. Hulten to Mr. Elmer L. Hoehn, Administrator, Oil Import Administration, Apr. 26, 1968]

In response to Administrator Hoehn's announcement of April 5, 1968, I am pleased to have an opportunity to comment on the proposed Section 24 which would grant allocations of crude and unfinished oils to new or rehabilitation refineries as soon as they go on stream.

Imported oil and oil products are virtually the only source of energy available to Hawaii. Consequently, the cost of oil and oil products is a crucial factor in Hawaii's economy and of paramount concern to the people of the State.

Section 4 of the present Oil Imports Regulations requires that a person in District V operate his refinery for fifteen months before he can receive an allocation of crude or unfinished oil. This regulation has the effect

of limiting the potential sites of refineries to those areas where domestic supply of crude oil is readily available to allow the plant to operate for fifteen months. This fifteen-month operating requirement has special significance in Hawaii where there are known petroleum deposits.

There is only one refinery in Hawaii—the Standard Oil Company of California. Company officials estimated that in 1961 97.5 per cent of the crude oil processed at this refinery was foreign crude oil. With no petroleum deposits available locally, any potential refiner who wishes to build a plant in Hawaii must import his entire supply of crude oil—either "exchanged" oil or domestic oil. Both the "exchanged" oil and the domestic oil are much more expensive than the foreign crude oil processed by Standard Oil. Thus for the first fifteen months, the new competitor would be at a substantial financial disadvantage. This situation has re-

sulted in discouraging potential refiners from entering the Hawaii market.

The proposed rule eliminating the fifteen-month qualifying period is welcomed by the people of Hawaii. It eliminates a major entry barrier to the building of additional refineries in Hawaii. It is hoped that the entry of one or more new refiners will result in price competition that will benefit all the people of Hawaii.

The Oil Import Quota Program has had many adverse effects in Hawaii due to the imposition of controls on an insular state, some 2,300 miles from the West Coast. The present change alleviates part of the disadvantage our economy must assume, and we hope that in the future other changes may be made which will recognize, and be commensurate with, the unique needs and position of Hawaii.

[Letter of Roy J. Leffingwell, executive vice president, Hawaii Manufacturers Association, to Mr. Hoehn on the proposal to permit new refineries to obtain immediate allocations, Apr. 26, 1968]

DEAR MR. HOEHN: Thank you for this opportunity to comment on the proposed amendment to OIA Regulation enabling the granting of allocations of crude oil and unfinished oils to new or rehabilitated refinery and petrochemical plants as soon as they go on stream rather than having them wait a year or more to develop qualifying inputs.

The Hawaii Manufacturers Association is wholeheartedly in favor of this proposed amendment to OIA Regulations. The amendment will allow new companies to initiate the refining and petrochemical activities without a major delay in obtaining their just import quota allocation. It is certainly a step toward more equitable treatment of petroleum processing companies by OIA.

The stifling of competition by the current OIA ruling that a refining company must operate one year on domestic crude before becoming eligible for a foreign crude allocation with its inherent economic advantages, can only deter the establishment of additional refining and petrochemical plants which would otherwise be economically feasible.

We wish to also restate our position that Hawaii should be separated from District V (as we are by 2,200 miles of ocean) and exempted in such a manner so as to enable this area to import its requirements of most certainly crude oil and possibly finished products. Petroleum prices, especially in the five (5) out-islands of Hawaii, are higher than in any Mainland district. Since energy is so essential to manufacturing, both small and large, and Hawaii's industry (because of the Islands limited population) must compete in the world-wide market, this area cannot be expected to continue to thrive and increase its standard of living without the full benefits of competitively priced petroleum fuels, our primary source of heat and power.

Sincerely,

ROY J. LEFFINGWELL,
Executive Vice President.

[Letter of Paul C. Joy to Mr. Hoehn on the proposal to permit new petrochemical operations to obtain immediate allocations, Apr. 26, 1968]

DEAR MR. HOEHN: This is in reply to your request for comments concerning the proposed amendment to OIA regulations which will permit new petroleum processing operations to obtain immediate eligibility for oil import quotas.

We firmly support this proposed amendment, especially as it pertains to Hawaii. Should a new refiner or petrochemical operation be planned for Hawaii, it would, under current rules, be forced to operate during its first year on imported domestic fuel oil shipped from the West Coast at premium U.S. tanker transportation tariffs amounting to as

much as 60¢ a barrel. Assuming domestic crudes in District V have a premium value 70¢ a barrel over equivalent foreign crude and a West Coast/Hawaii transportation cost of 50¢ a barrel would be incurred, this new petroleum operation would be economically handicapped by approximately \$1.20 a barrel for each barrel of domestic crude it would be forced to run that first year because of its foreign oil quota ineligibility. For a "small industry plant," such as might be most feasible in Hawaii, this unfair "tax" during its first year of operation would be a strong economic deterrent.

You are to be commended for proposing this change in rulings and we urge its early adoption.

Very truly yours,

PAUL C. JOY.

[Letter of Representative PATSY T. MINK to Mr. Hoehn on the proposed regulation to permit a new refinery to obtain an allocation as soon as a new plant goes on stream, and the proposal of auctioning oil import licenses, Apr. 29, 1968]

DEAR MR. HOEHN: Thank you for this opportunity to comment on the proposed system for auctioning oil import licenses and the proposed new regulations which would permit a new refinery or petrochemical plant to obtain an allocation as soon as the new plant goes on stream, rather than having to wait a year or more to develop qualifying inputs as the present system requires.

With regard to the latter, I am wholeheartedly in support of the proposed amendment. Although at present there is only one refinery in Hawaii, this new amendment should encourage new companies to initiate refining and petrochemical activities in our state since they will not be placed in an economic and competitive disadvantage by having to use domestic fuel oil shipped from the West Coast for the first 15 months of their operation.

The proposed change is a positive step toward eliminating discriminatory barriers in the petroleum industry in Hawaii. It is my hope that new refineries and petrochemical operations will now locate in Hawaii so that the consumer public and affected industries will benefit from the lower prices resulting from genuine price competition in the crude oil and petroleum products areas. However, the proposed new system of auctioning oil import licenses represents little or no improvement for the Hawaii situation.

As you may well know and as I can only once again reiterate, my position is that Hawaii represents a special situation as an insular state having no indigenous fossil fuels. In addition it has been clear for a number of years now that the national security rationale for the oil import program does not have validity when applied to the State of Hawaii since it does not have a fossil fuel recovery industry which needs economic encouragement and protection. It is equally clear that all petroleum products must be shipped to Hawaii over at least 2,200 miles of international waters regardless of the source, foreign or domestic, and therefore the security of overland supply argument is not persuasive.

Hence, I believe that Hawaii should not come within the oil import program as presently constituted or as it may be revised with regard to auctioning of oil import licenses. As I understand it, the proposed auction system would provide just a new way of allocating the oil import quotas thus retaining the old evil in a new form.

What Hawaii seeks is not a change in form but substantive and equitable consideration by the Oil Import Administration which would take account of its special economic and geographic circumstances, e.g. as has been done in the case of Puerto Rico and the Virgin Islands.

Presently, Hawaii's cost of living is approximately 15 per cent higher than the 48 main-

land states and the additional cost of purchasing import quotas is a hidden cost passed on to the consuming public in nearly every retail transaction in the State. The current limitation on crude oil imports has put Hawaii at the mercy of one oil combine which has resulted in an artificial price of gasoline averaging six cents more per gallon than that charged on the mainland, which in turn, costs the Hawaii public, on this item alone, nearly 15 million dollars a year.

Virtually, 100 per cent of the crude refined and 85 per cent of all petroleum products consumed in Hawaii are now imported from foreign sources yet Hawaii is charged as if they were produced on the mainland and in addition a phantom freight cost is tacked on when, in fact, the oil is shipped to Hawaii in foreign bottoms. In your letter to me of November 21, 1967, you stated that a major justification for the oil import quota program was to reserve a portion of the domestic market for domestic petroleum. Clearly the facts belie this contention and a free system of quotas for Hawaii would not materially affect consumption of domestic petroleum products.

Hawaii suffers from the further inequity of being unable to import overland quota-free products from Canada. Nearly 50 per cent of all imported foreign crude and petroleum products entering District V during 1967 was produced in Canada and thus entered the other states in our District without being subject to the oil import quota imposed on Hawaii. Thus, the present policy of the Oil Import Administration as embodied in the quota system still fails to take account of Hawaii's isolated geographic position. This results in forcing Hawaii's continuing dependency on one oil source and deprives our State of the economic benefits of a more flexible, multi-based product supply system.

I believe that these facts mandate Hawaii's exemption from its unfair and baseless inclusion in the present District V and that Hawaii should either be placed in a separate District VI classification with the right to import foreign oil quota-free or that a foreign trade zone be authorized encompassing the entire State of Hawaii and exempting this area from continental oil import quota requirements.

I should like to point out that virtually the entire State of Hawaii stands united on this proposition and as evidence of this, the Hawaii State Legislature recently appropriated one hundred thousand dollars in order to obtain equitable consideration for Hawaii under the oil import program. Pursuant to this appropriation, the State of Hawaii has, within the past month, initiated an anti-trust action against the Standard Oil Company of California.

The Oil Import Administration has recognized the special situation of Puerto Rico and the Virgin Islands and has accordingly given them special consideration based on their insular status. In light of their treatment, I submit that the concept of a Hawaii foreign trade zone or Hawaii as a separate District VI is clearly rational and fully justified.

At this time, therefore, I respectfully urge that now is the time for fair and equitable treatment for Hawaii also.

Very truly yours,

PATSY T. MINK,
Member of Congress.

[Letter of Paul C. Joy, Vice-President, Honolulu Gas Co., regarding Oil Import Administration control over source of raw materials for production of natural gas (April 19, 1968) and Representative PATSY T. MINK's letter to Elmer L. Hoehn, Oil Administrator on same subject (May 1, 1968)]

DEAR MRS. MINK: I thought you would be interested in the attached testimony which

the Honolulu Gas Company has just submitted to the Oil Import Administration.

The Oil Import Administration's contemplated plan to auction oil import quotas could well result in further increasing energy costs in Hawaii by requiring Hawaii's present and possible future refiners to be the successful bidder for crude oil import tickets to process in his refinery. His only alternate source of refinery input would be U.S. crude shipped to Hawaii in relatively small, expensive U.S. owned and operated tankers.

We have also taken the position that it is incorrect for the Oil Import Administration to control the source of the raw materials required to provide the "synthetic natural gas" and LP gas needed by Hawaii. The importation and inter-state movement of natural gas is controlled by the FPC rather than the OIA for the other 49 continental states and we believe that Hawaii's gaseous forms of energy should likewise be excluded from Oil Import Administration regulations.

PAUL C. JOY.

DEAR MR. HOEHN: In his letter to you of April 11, 1968, Mr. Paul C. Joy, Vice President of the Honolulu Gas Company, Ltd., requested your decision as to whether his company qualifies under Oil Import Regulation 1 (Revision 5) Amendment 5, paragraph (b) entitling the local refinery to receive an additional import allocation on behalf of his company.

I have carefully read his letter and the facts submitted to you in support of his request for your affirmative decision and believe him to have stated a persuasive and meritorious case for the additional allocation.

Not only does Honolulu Gas have a unique gas production operation but, in addition, it seems clear that within the context of the Oil Import Administration's regulations, Gasco's Fuel Gas Generating Process is one which results in the burning of the residual fuel oil.

Also, I should like to indicate my concern over the growing air pollution problem in Honolulu which could, to a large degree, be alleviated by a favorable decision allowing Honolulu Gas to convert to the low ash, 0.5 weight per cent maximum sulfur residual fuel oil.

I call to your attention the fact that the Department of Interior is the executive department of government primarily responsible for the maintenance of our natural beauty and the preservation of a clean and healthy atmosphere as is attested by the many public statements by Secretary Udall. Yet, the policy of the Oil Import Administration in this matter has measurably contributed to the dirty air breathed by the citizens of Honolulu.

In this respect then, your favorable decision would be consistent not only with the policy of the United States and the sense of Congress as embodied in the Air Quality Act of 1967, Public Law 90-148 but also with that of your own department.

Therefore, on behalf of the people of Hawaii and the Honolulu Gas Company, I urge your early and favorable consideration of Mr. Joy's request.

Thank you very much.

Very truly yours,

PATSY T. MINK,
Member of Congress.

U.S. DEPARTMENT OF LABOR IS NOT QUALIFIED IN THE FIELD OF LEGISLATIVE EMPLOYMENT

Mr. BROYHILL of Virginia. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there

objection to the request of the gentleman from Virginia?

There was no objection.

Mr. BROYHILL of Virginia. Mr. Speaker, I would like to draw attention of the House to another act of stupidity on the part of the executive branch of our Government.

The U.S. Department of Labor is now conducting an investigation of "discrimination" in the staff-hiring practices of individual Members of Congress.

As of May 1, three investigators have been examining all 1968 vacancy notices filed by Members with the branch office of the U.S. Employment Service located in room 1016, Longworth House Office Building. A list is being compiled for a news exposé of all Members who listed requirements for their vacancies considered—by the Department of Labor—to be unfair.

My name is on the list; because I requested a female secretary. This is discrimination by sex.

The Vice President's name is on the list, because he asked that any applicant referred be a "HUMPHREY backer." That is considered political discrimination.

Mr. Speaker, it is obvious that the Department of Labor is not qualified in the field of legislative employment. There has been considerable support for the establishment of a central personnel assistance office in the House of Representatives. I think it is time we took action.

A central employment office for the House of Representatives could provide a coordinated businesslike procedure in obtaining references, giving shorthand, typing, and other skill tests. The office could also develop office management systems which would be of great benefit in helping freshmen Members get organized. I would hope such an office would also work toward establishing job classification standards for our individual staffs which would put an end to our present salary bidding competition and perhaps recognize experience gained by length of service through in-grade increases.

Should an investigation ever be needed within our own central personnel office, I am sure the Committee on House Administration could accomplish it without the assistance of the Department of Labor.

The current investigation arises because the House and Senate have provided space in the Capitol Buildings for branch offices of the U.S. Employment Service for the District of Columbia. These branch offices provide a service only to Members of Congress in interviewing and, upon request, referring applicants to congressional offices in accordance with the qualifications listed for the vacancy.

In the District of Columbia the U.S. Employment Service is a function of the Federal Government rather than of the District of Columbia government. The employees are paid by the U.S. Department of Labor.

The investigation is being conducted at the direction of Arthur A. Chapin, special assistant for equal opportunity in manpower programs. Evidently Mr.

Chapin believes a Congressman should hire an equal number of Democrats and Republicans for his personal staff and that we should also hire a proportionate number of those just out of high school and those just under the age of 70 to show that age is not a factor.

Of course the Department of Labor is also interested in the question of race. If the law condoned it I am sure the Department of Labor would also investigate our discriminatory practices on the questions of intelligence level, spelling ability, typing and shorthand skills, and mini-skirts.

MR. FEIGHAN WINS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. PATMAN. Mr. Speaker, on May 7, the knowledgeable and discerning electorate of the 20th Congressional District of Ohio gave our colleague, the Honorable MICHAEL A. FEIGHAN, the right once again to represent his party in the crucial election of November next.

May I call the attention of this body to the many splendid attributes of this gentleman from Ohio, who works amongst us quietly and efficiently with unfailing courtesy, pleasing humor and kindly dignity; his wise counsel has been available to all and his consummate statesmanship has endowed our proceedings with great distinction.

Mr. FEIGHAN has just emerged from a confrontation with the significant issues of our day and his success indicates to me that his years at Princeton and Harvard Law School, and as an indefatigable member of the Committee on the Judiciary as well as his decades of scrupulous and scholarly attention to thousands of legislative chores, have not dulled his perceptions of people nor removed him from an awareness of human needs, but have instead made him acutely sensitive to the gropings of our society toward the great objectives of American democracy—illuminated and invigorated throughout by his deep spiritual devotion.

May I offer my sincere congratulations to one of this country's great humanitarian legislators, and one of the Olympians of this House, our distinguished colleague, Mr. FEIGHAN of Ohio.

THE POOR PEOPLE'S MARCH ON WASHINGTON

Mr. REINECKE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. REINECKE. Mr. Speaker, this weekend the first contingent of the Poor People's March is scheduled to arrive in Washington. The goals—and the possible consequences—of the march are a

matter of deep concern to all of us in the Nation's Capital. Even the President has admitted that there are "inherent dangers" in a gathering of such proportions in a city which is still in a state of unrest following an outbreak of disorder barely a month ago.

I do not take issue with the fact that injustice, poverty, and hunger exist in various parts of our country. This is regrettable, and steps are being taken to enable every American to have an equal opportunity to build for himself a full and meaningful life. I do dispute the claim, however, that any group—be they black or white—has the right to move into a city like Washington for the express purpose of disrupting its normal functions until its demands are met. This is not the democratic process, this is government by blackmail.

If lawlessness and disorder are permitted to prevail in Washington during the forthcoming demonstration, the United States, as a nation, will be greatly weakened in the eyes of its law-abiding citizens and in the eyes of the world. The President has a responsibility and an obligation to make it very clear to those who would "turn Washington downside up and upside down" that violence and disruption of the Government will not be tolerated. He should state firmly that whatever force is necessary will be used to deal with violent and unlawful activities on the part of the demonstrators.

Congress has already made it quite clear that it is ready to act, even if the President is not. A bill to prohibit a mass "camp-in" on Federal property in the District of Columbia, and to require the posting of bonds for damage done to Government property in order to obtain a permit for organized demonstrations, has been ordered reported by the House Committee on Public Works. It can be taken up by the House at any time if the need arises. I heartily support this legislation because I believe the Mall area and the public parklands are for all the people to use and to enjoy; they were never intended to be used by a relatively small minority group whose main purpose is to pressure the administration and the Congress to bow to its demands.

I am deeply concerned and apprehensive about the forthcoming march on Washington. It seems to me that the combination of large numbers of people in temporary shelters for a prolonged period of time will almost inevitably lead to disruption and violence. I am hopeful that the President and city officials will have the good sense to move in quickly with whatever force necessary if the need arises. Looting, burning, and anarchy cannot, must not, prevail in the Nation's Capital.

RUMORS OF DETENTION CAMPS UNFOUNDED

Mr. CULVER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. CULVER. Mr. Speaker, as a member of the House Committee on Un-American Activities, I feel constrained to comment on the recent report on "Guerrilla Warfare Advocates in the United States" and the subsequent publicity it has received regarding possible use of detention centers to counter such activities.

Though issued under the aegis of the committee as part of its responsibility to investigate and report to Congress on matters of national security, a report of this kind does not necessarily represent the personal opinions of the members of that committee.

While it is essential that genuinely subversive activities in this country be under the careful, persistent, and professional surveillance and control of appropriate law-enforcement officials—as they are, reckless reprisal statements only serve to provide fuel for those trying to inflame further the emotions of our already highly charged ghetto communities.

A disproportionate concentration on presumed conspiratorial dangers diverts us from the principal sources of urban unrest and protest, which are essentially social and economic.

The report itself concedes that guerrilla uprisings are "alien to both the American mentality and to the vast majority of Negroes in the ghettos," and states that "there is little doubt that such an uprising could be effectively and quickly controlled."

It is, therefore, most regrettable that it has served to again stimulate baseless and highly misleading rumors about detention camps, as a solution to uprisings which it admits are not likely to occur.

Consequently, I contacted the Department of Justice to obtain once again a clarification of the detention camp provisions of the Internal Security Act. In a letter addressed to me today, Assistant Attorney General J. Walter Yeagley, who is in charge of the Internal Security Division, has stated that "a review of emergency detention provisions of the Internal Security Act of 1950 will reveal that there is no support therein for the establishment of detention centers for the purpose set forth in the HCUA report."

Mr. Yeagley points out that, while detention camps were maintained for a few years after the McCarran Act was passed, with funds authorized by Congress, they were never used for that purpose. And, in fact, they were abandoned more than 10 years ago.

Some of those installations are now being used as regular Federal prison camps. One has been taken over as a State correctional institution. Another is now used for grazing cattle.

Mr. Speaker, circulation of rumors about "concentration camps" for Negro militants can only heighten tensions and fears at a critical time when responsible public officials should be moving to reduce them.

I urge the Members of this House and the American people to reject those rumors, and include at this point in the RECORD the text of Mr. Yeagley's letter:

DEPARTMENT OF JUSTICE,
Washington, D.C., May 9, 1968.

HON. JOHN C. CULVER,
House of Representatives,
Washington, D.C.

DEAR MR. CONGRESSMAN: Considerable public attention has recently been focused on the subject of "emergency detention" and "concentration camps or detention centers" allegedly maintained by the United States under the provisions of the Internal Security Act of 1950, otherwise referred to as the McCarran Act.

Rumors about the existence of "concentration camps" in the United States started spreading in 1966, probably as the result of allegations contained in an article captioned "Concentration Camps USA" written by Mr. Charles R. Allen, Jr., at the request of the Citizens Committee for Constitutional Liberties. This pamphlet has been reviewed by this Division and found to be replete with inaccuracies. You may wish to refer to the reports of the hearings before the House Committee on Un-American Activities for background information on the Citizens Committee for Constitutional Liberties which commissioned Mr. Allen to write his article.

More recently, an article in the May 6, 1968 issue of "The Washington Post" captioned "HUAC Would Intern Any Negro 'Guerrillas'" attributes to the HUAC a suggestion that "guerrilla warfare" advocated by militant black nationalists might be countered by "detention centers" among other devices. According to this article Committee Chairman Willis declared that "mixed Communist and black nationalist elements across the Nation are planning and organizing guerrilla-type operations against the United States. In the event of such violence the Committee contended that 'the guerrillas would be declaring a state of war within the country and therefore would forfeit their rights as in wartime.'" According to the HUAC report "The McCarran Act provides for various detention centers to be operated throughout the country and these might well be utilized for the temporary imprisonment of warring guerrillas."

A review of emergency detention provisions of the Internal Security Act of 1950 will reveal that there is no support therein for the establishment of detention centers for the purposes set forth in the HCUA report. That Act provides that in the event of (1) invasion of the territory of the United States or its possessions, or (2) declaration of war by Congress, or (3) insurrection within the United States in aid of a foreign enemy, the President is authorized to proclaim the existence of an internal security emergency and during such emergency, acting through the Attorney General, to apprehend, and by order, detain persons as to whom there is reasonable grounds to believe that such persons will engage in or conspire with others to engage in, acts of espionage or sabotage.

In keeping with the provisions, facilities were maintained for a few years with funds appropriately authorized by the Congress for this purpose. These facilities were located at Tule Lake, California; Wickenburg and Florence, Arizona; El Reno, Oklahoma; Allenwood, Pennsylvania; and Avon Park, Florida. These facilities were never used for the foregoing purposes. About 1957, the project was discontinued, the camps abandoned and since that time no such camps have been maintained and no funds have been appropriated for this purpose.

The installations at Allenwood and Florence are now used as regular Federal Prison camps where minimum security inmates charged with a variety of offenses are confined. The site at El Reno is used as grazing land for cattle kept by the Farm operated by the nearby Federal Reformatory in which youthful offenders are confined. The Avon Park installation was taken over by the State

of Florida as the Avon Park Correctional Institution. The Wickenburg site, which had been leased from the City of Wickenburg was turned back to the City in 1956. The Tule Lake site, which formerly belonged to the Department of Interior, was returned to the Bureau of Reclamation, Department of the Interior in 1956.

Attorney General Ramsey Clark stated, during his appearance on April 7, 1968, on NBC's "Meet The Press," that there are no concentration camps in this country and there will be no concentration camps in this country. He added that "Rumors, and fear that arises from rumors, are a great threat to us. Fear itself is a great threat, and people who spread false rumors about concentration camps are either ignorant of the facts or have a motive of dividing this country."

The following appeared in an article in the March 3, 1968 issue of "The Washington Post," captioned "Negro Detention Camps: Debunking of a Myth":

Assistant Attorney General J. Walter Yeagley, whose Internal Security Division of the Justice Department would administer Title II of the McCarran Act if it were invoked, says there are two basic reasons why the Act could not be legally applied against a nameless mass of Negroes who happen to be in a street where a riot is taking place:

The Act requires that each "detained" person be arrested on a warrant specifying his name and stating the Government's belief that he may engage or conspire to engage in sabotage or espionage.

Even if the rioting were formally declared an "insurrection," there is no evidence to date that it is or may be fomented "in aid of a foreign enemy," as required before Title II could be applied.

"I know of no contingency plan for mass Federal detention of Negroes under Title II or any other statute," says Yeagley. "It would be absolutely unconstitutional for us to do what Rap Brown accuses us of doing."

Sincerely,

J. WALTER YEAGLEY,
Assistant Attorney General.

THIRTIETH NEW ENGLAND CONVENTION OF THE NAACP

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. TIERNAN. Mr. Speaker, on April 28, the 30th annual convention of the New England chapter of the NAACP was held in Providence, R.I. I include my remarks prepared for that occasion in the RECORD at this point:

THIRTIETH NEW ENGLAND CONVENTION OF THE NAACP

It is with great pleasure that I extend to the 30th New England Convention of the NAACP the greetings of the Congress of the United States and Rhode Island's Congressional Delegation.

A story in last Thursday's *Journal-Bulletin* stated that Rhode Island's four-man Congressional team was highly rated by Washington's leading liberal organizations, the Americans for Democratic Action and the Committee on Political Education. Three of our delegation, myself included, were grouped with neighboring Senator Edward W. Brooke at the top of the liberal scale with COPE ratings of 100 percent.

I am sure I can speak for my colleagues when I state that this liberal voting record

is a source of great satisfaction to us. This is especially true when one considers the classic description of liberalism advanced by Professor J. S. Schapiro.

In his famous analysis, Professor Schapiro contends that liberalism has always been characterized by its unshaken belief in the necessity of freedom to achieve every desirable aim. The basic principle of liberalism has been the moral worth, the absolute value, and the essential dignity of the human personality. Thus, liberals have ever sought to free the individual from unjust restraints imposed upon him by governments, institutions, and traditions.

Equality is another fundamental liberal principle. Liberalism has proclaimed the principle of equality for all mankind. It must be borne in mind, however, that equality does not mean that all have equal ability, or equal moral perception or equal personal attraction. What it does mean is that all have equal rights before the law, and that all are entitled to civil liberty. No law or system should confer special privileges upon some, and impose special discrimination upon others: It must be the same for all. Thus, liberalism has waged an unceasing war against privilege whether based on birth, wealth, religion, sex or race. In fact, in the liberal view, the chief end of government is to uphold the liberty, equality, and security of all citizens.

Professor Schapiro's analysis of liberalism describes my views. The actual measure of my sentiments, however, is reflected in my voting record and in the ratings which I have cited.

Since entering the Congress of the United States last April, it has been my privilege to share in the responsibility for the passage of such humane legislation as the Model Cities and Rent Supplement Programs, the Truth-in-Lending Law and the Extension of the Civil Rights Commission.

My greatest satisfaction, however, came earlier this month when H.R. 2516, the Omnibus Civil Rights Bill passed the Congress of the United States. As you well know, that measure contained provisions strengthening Federal protection for persons exercising—or urging others to exercise—rights established by Congress and the Constitution. It also contained a declaration guarding and defining the rights of another oppressed and long-neglected minority—the American Indian. Finally, it contained a satisfactory open housing provision which represented the first legislation dealing with racial discrimination in housing to pass the United States Senate since reconstruction.

While the debates over the 1968 Civil Rights Bill were concluding, I had the privileges of co-sponsoring a bill which would authorize the Secretary of the Interior to establish a national museum and repository of Negro history and culture at Wilberforce, Ohio. This community was chosen because it is the seat of Wilberforce University, the first Negro institution of higher learning in the United States, and because Wilberforce was a center of the Abolitionist Movement and on the mainline of the famous underground railroad.

This bill is in accord with my belief that there should be a greater emphasis placed upon the important and unique contributions which the Negro has made to our common American heritage and tradition. I believe that this desirable aim can also be advanced by our states and our municipalities if they introduce and support a program of instruction which places in proper perspective the significant role of the Negro in American Historical Development. Let our young Negro youth and the white community as well know that Jackie Robinson, Jesse Owens, Willie Mays, Louis Armstrong and Lena Horne are not the only great Negro Americans. Let us tell them of the Negro patriots like Crispis Attucks and the many

Negro military and naval heroes of all our wars; let them know of the outstanding Negro intellectuals like John Hope and Booker Washington and such eminent scientists as George W. Carver. Tell them of the prominent Negro statesmen like Ralph Bunche and Frederick Douglass, the distinguished Negro Congressmen of reconstruction, Hiram Revels, Blanche Bruce and John R. Lynch, and such eminent contemporary leaders as Senator Edward Brooke, Justice Thurgood Marshall and the late Martin Luther King.

Finally, let us not forget those learned historians such as Rayford Logan and John Hope Franklin who have chronicled and preserved the distinguished record of their people.

That record deserves to be known, and it is the responsibility of our schools and our teachers to reveal it, so that our Negro youth can have, as James Baldwin phrased it, a sense of identity, and so our white community can be assisted in developing the proper appreciation and respect for their Negro brethren.

In conclusion, I would like to leave you with a quotation which epitomizes the liberalism of which I have spoken. Here is that quote, "I have a dream that one day this nation will rise up and live out the true meaning of its creed: 'We hold these truths to be self-evident, that all men are created equal' ". Let us resolve not only to share that dream of Martin Luther King's, but let us also make that dream a reality.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MATSUNAGA (at the request of Mrs. MINK), from today through May 13, on account of official business.

Mr. HICKS, for Friday, May 10, on account of official business on behalf of the House Armed Services Committee.

Mr. EVANS of Colorado, for May 10, 1968, on account of official committee business of the Armed Services Committee.

Mr. SAYLOR (at the request of Mr. GERALD R. FORD), for today, on account of official business.

Mr. BURTON of Utah (at the request of Mr. GERALD R. FORD), for today, and the balance of the week, on account of official business.

Mr. HORTON (at the request of Mr. GERALD R. FORD), for today, and the balance of the week, on account of official business.

Mrs. GREEN of Oregon (at the request of Mr. ULLMAN), for today, May 9, on account of illness.

Mrs. HANSEN of Washington (at the request of Mr. DANIELS), for May 9 through May 13, 1968, on account of official business.

Mr. DICKINSON (at the request of Mr. GERALD R. FORD), for today, on account of official business.

Mr. EDWARDS of Alabama (at the request of Mr. GERALD R. FORD), for May 8 and May 9, on account of official business.

Mr. BUCHANAN (at the request of Mr. GERALD R. FORD), for today, on account of official business.

ENROLLED JOINT RESOLUTION SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that

that committee had examined and found truly enrolled a joint resolution of the House of the following titles, which was thereupon signed by the Speaker:

H.J. Res. 1234. Joint resolution to provide for the issuance of a gold medal to the widow of the late Walt Disney and for the issuance of bronze medals to the California Institute of the Arts in recognition of the distinguished public service and the outstanding contributions of Walt Disney to the United States and to the world.

SENATE ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to enrolled bills and a joint resolution of the Senate of the following titles:

S. 1483. An act for the relief of Dr. Pedro Lopez Garcia;

S. 1490. An act for the relief of Yang Ok Yoo (Maria Margurita);

S. 1909. An act to provide for the striking of medals in commemoration of the 100th anniversary of the completion of the first transcontinental railroad; and

S.J. Res. 129. Joint resolution to authorize the Secretary of Transportation to conduct a comprehensive study and investigation of the existing compensation system for motor vehicle accident losses, and for other purposes.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. HALPERN (at the request of Mr. WINN) for 10 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. GOODELL (at the request of Mr. WINN), for 10 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. STAGGERS (at the request of Mr. TIERNAN), for 5 minutes, today; and to revise and extend his remarks and include extraneous matter.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks was granted to:

Mr. HECHLER of West Virginia.

Mr. ICHORD.

Mr. DORN and to include extraneous matter.

Mr. GROSS and to include a telegram.

Mr. RUMSFELD to revise and extend his remarks and include extraneous matter during debate on higher education bill.

All Members (at the request of Mr. MAHON) to revise and extend their remarks on House Joint Resolution 1266.

Mr. REID of New York to include a table in the general debate on the Higher Education Act.

Mr. SCHWENGEL to revise and extend his remarks and to include extraneous matter during debate on the Higher Education Act today.

(The following Members (at the request of Mr. ROGERS of Colorado) during debate on H.R. 15951:)

Mr. LEGGETT.

Mr. HANLEY.

Mr. MINISH.

Mr. ANNUNZIO.

Mr. JOELSON.

Mr. GROSS to extend his remarks following the disposition of the amendment offered by him to the bill H.R. 15951.

(The following Members (at the request of Mr. WINN) and to include extraneous matter:)

Mr. REINECKE in two instances.

Mr. CURTIS in two instances.

Mr. UTT.

Mr. HUTCHINSON.

Mr. SAYLOR.

Mr. ROUDEBUSH.

Mr. ASHBROOK in two instances.

Mr. KUPFERMAN in five instances.

Mr. MCDADE.

Mr. QUILLEN.

Mr. SCHERLE in two instances.

Mr. BRAY in four instances.

Mr. ESCH.

Mr. GOODELL in five instances.

Mr. BROOMFIELD.

Mr. WATSON in two instances.

Mr. RUPPE in three instances.

Mr. WAMPLER.

Mr. SKUBITZ.

Mr. BROWN of Ohio.

Mr. SCOTT.

Mr. HOSMER.

Mr. O'KONSKI.

Mr. BOB WILSON.

Mr. DERWINSKI in two instances.

Mr. FINDLEY.

Mr. SCHWEIKER.

Mr. SHRIVER.

(The following Members (at the request of Mr. TIERNAN) and to include extraneous matter:)

Mr. PUCINSKI in 10 instances.

Mr. CHARLES H. WILSON.

Mr. OTTINGER.

Mr. LONG of Maryland.

Mr. BROWN of California.

Mr. PATTEN in two instances.

Mr. VIGORITO in two instances.

Mr. PEPPER.

Mr. RESNICK.

Mr. ANNUNZIO in two instances.

Mr. BRINKLEY.

Mr. NIX.

Mr. HOWARD.

Mr. GONZALEZ in three instances.

Mr. JARMAN.

Mr. ST GERMAIN.

Mr. HOLLAND in two instances.

Mrs. GRIFFITHS in two instances.

Mr. GREEN of Pennsylvania in two instances.

Mr. O'HARA of Michigan.

Mr. DINGELL in two instances.

Mr. MOSS.

Mr. WOLFF in three instances.

Mr. IRWIN in three instances.

Mr. HAGAN in six instances.

Mr. THOMPSON of New Jersey in three instances.

Mr. DOWNING.

Mr. LEGGETT.

Mr. RARICK in six instances.

Mr. MOORHEAD in two instances.

Mr. ROYBAL in five instances.

ADJOURNMENT

Mr. TIERNAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 23 minutes p.m.) the House adjourned until tomorrow, Friday, May 10, 1968, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

1829. Under clause 2 of rule XXIV, a letter from the the Comptroller General of the United States, transmitting a review of peanut price-support programs of the Commodity Credit Corporation, Department of Agriculture, was taken from the Speaker's table and referred to the Committee on Government Operations.

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. FRIEDEL: Committee on House Administration. H. Res. 1159. Resolution providing additional compensation for services performed by certain employees in the House Publications Distribution Service (Rept. No. 1368). Ordered to be printed.

Mr. FRIEDEL: Committee on House Administration. H. Res. 1160. Resolution providing for the expenses of conducting studies and investigations authorized by rule XI(8) incurred by the Committee on Government Operations; with amendment (Rept. No. 1369). Ordered to be printed.

Mr. PERKINS: Committee on Education and Labor. H.R. 14314. A bill to amend section 302(c) of the Labor-Management Relations Act of 1947 to permit employer contributions to trust funds to provide employees, their families, and dependents with scholarships for study at educational institutions or the establishment of child care centers for preschool and school age dependents of employees; with amendment (Rept. No. 1370). Referred to the Committee of the Whole House on the State of the Union.

Mr. HENDERSON: Committee on Post Office and Civil Service. S. 1028. An act to amend title 5, United States Code, to extend certain benefits to former employees of county committees established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act, and for other purposes; with amendment (Rept. No. 1371). Referred to the Committee of the Whole House of the State of the Union.

Mr. PATMAN: Committee on Banking and Currency. H.R. 14907. A bill to amend the Federal Credit Union Act; with amendment (Rept. No. 1372). Referred to the Committee of the Whole House on the State of the Union.

Mr. MAHON: Committee on Appropriations. H. J. Res. 1268. Joint resolution making supplement appropriations for the fiscal year ending June 30, 1968, and for other purposes (Rept. 1373). 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. FULTON of Tennessee:
H.R. 17167. A bill to amend the Renegotiation Act of 1951, and for other purposes; to the Committee on Ways and Means.

By Mr. HECHLER of West Virginia:
H.R. 17168. A bill to encourage the growth of international trade on a fair and equitable basis; to the Committee on Ways and Means.

H.R. 17169. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

By Mr. JOELSON:
H.R. 17170. A bill to amend the Public

Health Service Act to provide for the establishment of a National Eye Institute in the National Institutes of Health; to the Committee on Interstate and Foreign Commerce.

By Mr. LIPSCOMB:

H.R. 17171. A bill to provide for the issuance of a special postage stamp to commemorate the 200th anniversary of the San Gabriel Mission; to the Committee on Post Office and Civil Service.

By Mr. MESKILL:

H.R. 17172. A bill to amend the Immigration and Nationality Act to make additional immigrant visas available for immigrants from certain foreign countries, and for other purposes; to the Committee on the Judiciary.

By Mr. MINSHALL:

H.R. 17173. A bill to amend the Internal Revenue Code of 1954 to restore to individuals who have attained the age of 65 the right to deduct all expenses for their medical care, and for other purposes; to the Committee on Ways and Means.

By Mr. ROBISON:

H.R. 17174. A bill to amend the Nurse Training Act of 1964 to provide for increased assistance to hospital diploma schools of nursing; to the Committee on Interstate and Foreign Commerce.

By Mr. CHARLES H. WILSON:

H.R. 17175. A bill to reclassify certain key positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BARRETT:

H.R. 17176. A bill to designate the birthday of John Fitzgerald Kennedy, as a legal public holiday; to the Committee on the Judiciary.

H.R. 17177. A bill to designate the birthday of Martin Luther King, Jr., as a legal public holiday; to the Committee on the Judiciary.

By Mr. DUNCAN:

H.R. 17178. A bill to amend the Tennessee Valley Authority Act of 1933 to provide that the issue of just compensation may be tried by a jury in any case involving the condemnation of real property by the Tennessee Valley Authority; to the Committee on Public Works.

By Mr. GOODELL:

H.R. 17179. A bill to assist and encourage State and local governments to establish and operate police-community relations programs, and for other purposes; to the Committee on the Judiciary.

By Mr. MOOREHEAD:

H.R. 17180. A bill to amend the Military Selective Service Act of 1967 in order to provide for a more equitable system of selecting persons for induction into the Armed Forces under such act; to the Committee on Armed Services.

By Mr. RIEGLE:

H.R. 17181. A bill relating to the deduction for income tax purposes of contributions

to certain organizations for judicial reform; to the Committee on Ways and Means.

By Mr. TEAGUE of California:

H.R. 17182. A bill to amend section 205 of the act of September 21, 1944 (58 Stat. 736), as amended; to the Committee on Agriculture.

By Mr. VANDER JAGT:

H.R. 17183. A bill to provide for improved employee-management relations in the Federal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WILLIAMS of Pennsylvania:

H.R. 17184. A bill to amend title 28, United States Code, to provide for the holding of court by the U.S. District Court for the Eastern District of Pennsylvania at Easton and Philadelphia or its environs; to the Committee on the Judiciary.

By Mr. CHARLES H. WILSON:

H.R. 17185. A bill to amend the Civil Service Retirement Act, as amended, to provide that accumulated sick leave be credited to the retirement fund or that the individual be reimbursed; to the Committee on Post Office and Civil Service.

By Mr. HALPERN:

H.R. 17186. A bill to amend the Internal Revenue Code of 1954 to provide a basic \$5,000 exemption from income tax for amounts received as annuities, pensions, or other retirement benefits; to the Committee on Ways and Means.

By Mr. O'KONSKI:

H.R. 17187. A bill to encourage the growth of international trade on a fair and equitable basis; to the Committee on Ways and Means.

By Mr. ROUDEBUSH (for himself and Mr. MYERS):

H.R. 17188. A bill to amend title 38, United States Code, to provide increases in rates of compensation for disabled veterans; to the Committee on Veterans' Affairs.

By Mr. SCHWEIKER:

H.R. 17189. A bill to provide for orderly trade in footwear; to the Committee on Ways and Means.

By Mr. MAHON:

H.J. Res. 1268. Joint resolution making supplemental appropriations for the fiscal year ending June 30, 1968, and for other purposes; to the Committee on Appropriations.

By Mr. LONG of Louisiana:

H.J. Res. 1269. Joint resolution proposing an amendment to the Constitution of the United States relating to the selection, term of office, and qualifications of certain Federal judges; to the Committee on the Judiciary.

By Mr. WATKINS (for himself and Mr. WILLIAMS of Pennsylvania):

H.J. Res. 1270. Joint resolution to provide for the issuance of a commemorative postage stamp in honor of the late Gen. Douglas A. MacArthur; 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. ADDABBO:

H.R. 17190. A bill for the relief of Giuseppe LeBuono; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 17191. A bill for the relief of Filippo Ciaravino; to the Committee on the Judiciary.

By Mr. BURKE of Massachusetts:

H.R. 17192. A bill for the relief of Enrique Lalinde Velasquez; to the Committee on the Judiciary.

H.R. 17193. A bill for the relief of Andre and Elvire Yazbek; to the Committee on the Judiciary.

By Mr. CAREY:

H.R. 17194. A bill for the relief of Stefano Affatigato; to the Committee on the Judiciary.

H.R. 17195. A bill for the relief of Dr. Peter F. X. O'Neill; to the Committee on the Judiciary.

By Mr. CURTIS:

H.R. 17196. A bill for the relief of Dr. Caesar Octavio Jimenez-Pazos; to the Committee on the Judiciary.

By Mr. FARBERSTEIN:

H.R. 17197. A bill for the relief of Baruch Rouven; to the Committee on the Judiciary.

By Mr. FASCELL:

H.R. 17198. A bill for the relief of Dr. Antonio Gomez Hernandez; to the Committee on the Judiciary.

By Mr. FOLEY:

H.R. 17199. A bill for the relief of Ambrosio Andreo Martinez; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 17200. A bill for the relief of Dr. and Mrs. Ahmad Farhody; to the Committee on the Judiciary.

By Mr. MINISH:

H.R. 17201. A bill for the relief of Angelo Russo; to the Committee on the Judiciary.

By Mr. REES:

H.R. 17202. A bill for the relief of James Shwee Fone Liu; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 17203. A bill for the relief of Doo Howi Koo; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 17204. A bill for the relief of Etta Wilmot; to the Committee on the Judiciary.

By Mr. SCHEUER:

H.R. 17205. A bill for the relief of Dr. Rafael Arias; to the Committee on the Judiciary.

By Mr. THOMPSON of New Jersey:

H.R. 17206. A bill for the relief of Lucas R. Tapias and his wife, Ana Valencia Hernanz Tapias; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

PROPOSED EXPANSION OF NATIONAL AIRPORT

HON. WILLIAM B. SPONG, JR.
OF VIRGINIA

IN THE SENATE OF THE UNITED STATES
Thursday, May 9, 1968

Mr. SPONG. Mr. President, the airlines serving the Greater Washington metropolitan area have indicated to the Federal Aviation Administration their desire for a vast expansion of National Airport, including the construction of new terminal facilities, new runways, and additional parking spaces—at an estimated cost in excess of \$40 million.

For those of us who question the logic of National's overcrowded condition at a time when Dulles International Airport sits relatively idle nearby, this proposal by the airlines is disappointing but not necessarily surprising.

National Airport is crowded far beyond its capacity, and its proximity to Washington is substantially negated by the congestion, lack of adequate parking facilities, and increasing delays in take-offs and landings. It is only natural to expect demands for better facilities so long as National continues to handle as much of Washington's air traffic as it does.

The answer, it appears to me, is to re-

quire the transfer of as much of the area's air traffic as possible to Dulles, the airport Congress created to serve the Nation's Capital in the jet age. Expansion of National is unthinkable. The traffic there has introduced into the urban area such unpleasant factors as noise, pollution, and safety problems, and should be abated, not increased.

The Civil Aeronautics Board currently is investigating ways to relieve the congestion at National Airport. I have urged the transfer of substantial amounts of the Washington air traffic to Dulles and have proposed a formula by which that transfer could be accomplished. I earnestly hope that the CAB will soon direct