

[From the Arizona Republic, Jan. 18, 1970]

SIGNOFF FOR "THE VACHER"

(By Dave Hicks)

"Sports today with . . ."

My God—with who?

A telephone call at 3 a.m. jackhammers an icy wedge of disbelief into the overnight.

As effectively as a 45-year-old Tolleson native met a career rife with radio and television deadlines, unreality seizes the night as if its absolute "air time" is 3 a.m.

The "Vacher" is gone.

No, damnit, he's not, but yes, damnit, he is, and the tragedy is related until a reluctant final accord with fact.

And in the muddled hours that follow, an ethereal tape recorder, always slightly out of reach, unwinds a decade of sharing hotel rooms, cab rides, sports tales, airplane small-talk, a deepness shared with few (if, indeed, any others), a mutual professional admiration a stronger personal esteem.

Bob Vache, of course, would condemn the maudlin.

Knowing that, one would congratulate himself, in retrospect, that during a 3 a.m. telephone call he scolded merely agast.

Strong, calm in adversity, collected in the face of shock.

The "Vacher" would have appreciated that, so there is little need to add that the strong, calm, collected came apart afterward, because a man prefers to do his crying in private.

Let me tell you how Bob Vache regarded himself professionally.

"I'm not the most knowledgeable," he would say, "so I have to do it with preparation."

Whatever his adopted attack, the "Vacher" came to be, rightfully so, the acknowledged best sportscaster in Arizona.

This did not materialize from his routine daily broadcasts via radio and TV. Because Vache always was engaged in a struggle to get more air time, and if you knew him, this was never a selfish play to get more Vache before the public—just more sports.

One timely and towering tribute to Vache (there was forever the problem of making that come out, in print and TV-radio on the road as Vash-a, rather than Vash), crops up, ironically, in TV Guide for the week Jan. 17-23.

An article points up that, in today's sports world, slanted accounts of games are not only allowed, but encouraged. This is irrefutably true.

What this is, is extremely and unforgivably bush.

Let this be said: Vache did not concur with this juvenile approach, simply because he was a conscientious newsman who told it like it was.

To him, or their, inescapably discredit, someone or some few asked Vache to become this sort of shill during his broadcasts for the Phoenix Sun.

Do you know what he said: NO.

That simple, endearing gesture cannot be adequately appreciated in this era when, as TV Guide indicates, the club broadcaster is a shill.

The "Vacher" never would have succumbed to that.

He was a self-admitted "14th man on a 14-man Tolleson basketball squad" way back when few people were granted the privilege of getting close to this someone special.

"Sports today with . . ."

My God—with who?

HOUSE OF REPRESENTATIVES—Thursday, January 22, 1970

The House met at 12 o'clock noon.

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

Thou shalt remember all the way the Lord thy God led thee.—Deuteronomy 8: 2.

Eternal God, who didst lead our fathers to these shores that they may bring forth a just and a free nation, give Thy grace to us their children that we may be ever mindful of Thy presence and ever eager to do Thy will, without whom people cannot prosper, races cannot reason reasonably, and nations cannot live together in peace.

Grant that by the aid of Thy spirit true democracy may come to new life in our land, that government and industry and labor shall faithfully serve our people, and that our people in a real spirit of unity shall love our country with undying devotion.

Bless our President as he speaks to us and to our Nation this day. Make him wise with Thy wisdom, strong in Thy strength, good through Thy goodness and may he lead us in the paths of peace.

Bless our Nation abundantly and make her a blessing to all the peoples of the world.

In the spirit of the Pioneer of Life we pray. Amen.

THE JOURNAL

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the conference report on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 13111) entitled "An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year

ending June 30, 1970, and for other purposes."

The message further announced that the Senate agrees to the amendments of the House of Representatives to Senate amendments numbered 4, 50, 51, and 56 to the above-entitled bill.

The message also announced that the Senate agrees to the amendment of the House of Representatives to Senate amendment numbered 83 to the bill (H.R. 13111) entitled "An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1970, and for other purposes," with an amendment as follows:

In lieu of the language proposed to be inserted by the second part of the House amendment insert: "Provided further, That those provisions of the Economic Opportunity Amendments of 1967 and 1969 that set mandatory funding levels, including mandatory funding levels for the newly authorized programs for alcoholic counseling and recovery and for drug rehabilitation, shall be effective during the fiscal year ending June 30, 1970: Provided further, That of the sums appropriated not less than \$22,000,000 shall be used for the family planning program."

RECESS

The SPEAKER. The Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 12 o'clock and 2 minutes p.m.), the House stood in recess subject to the call of the Chair.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 12 o'clock and 19 minutes p.m.

JOINT SESSION OF THE HOUSE AND SENATE HELD PURSUANT TO THE PROVISIONS OF HOUSE CONCURRENT RESOLUTION 477 TO HEAR AN ADDRESS BY THE PRESIDENT OF THE UNITED STATES

The SPEAKER of the House presided. The Doorkeeper, Hon. William M.

Miller, announced the Vice President and Members of the U.S. Senate who entered the Hall of the House of Representatives, the Vice President taking the chair at the right of the Speaker, and the Members of the Senate the seats reserved for them.

The SPEAKER. The Chair appoints as members of the committee on the part of the House to escort the President of the United States into the Chamber the gentleman from Oklahoma, Mr. ALBERT; the gentleman from Louisiana, Mr. BOGGS; the gentleman from New York, Mr. CELLER; the gentleman from Michigan, Mr. GERALD R. FORD; and the gentleman from Illinois, Mr. ARENDS.

The VICE PRESIDENT. Pursuant to order of the Senate, the following Senators are appointed to escort the President of the United States into the House Chamber: Senator RICHARD B. RUSSELL, of Georgia; Senator MIKE MANSFIELD, of Montana; Senator EDWARD M. KENNEDY, of Massachusetts; Senator ROBERT C. BYRD, of West Virginia; Senator HUGH SCOTT, of Pennsylvania; Senator ROBERT P. GRIFFIN, of Michigan; Senator MILTON R. YOUNG, of North Dakota; and Senator GORDON ALLOTT, of Colorado.

The Doorkeeper announced the ambassadors, ministers, and chargés d'affaires of foreign governments.

The ambassadors, ministers, and chargés d'affaires of foreign governments entered the Hall of the House of Representatives and took the seats reserved for them.

The Doorkeeper announced the Chief Justice of the United States and the Associate Justices of the Supreme Court.

The Chief Justice of the United States and the Associate Justices of the Supreme Court entered the Hall of the House of Representatives and took the seats reserved for them in front of the Speaker's rostrum.

The Doorkeeper announced the Cabinet of the President of the United States.

The members of the Cabinet of the President of the United States entered

the Hall of the House of Representatives and took the seats reserved for them in front of the Speaker's rostrum.

At 12 o'clock and 32 minutes p.m., the Doorkeeper announced the President of the United States.

The President of the United States, escorted by the committee of Senators and Representatives, entered the Hall of the House of Representatives, and stood at the Clerk's desk.

[Applause, the Members rising.]

The SPEAKER. Members of the Congress, I have the great pleasure, the high privilege and the distinct and personal honor of presenting to you the President of the United States.

[Applause, the Members rising.]

THE STATE OF THE UNION—ADDRESS BY THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91-226)

The PRESIDENT. Mr. Speaker, Mr. President, my colleagues in the Congress, our distinguished guests, and my fellow Americans.

To address a joint session of the Congress in this great chamber, in which I was once privileged to serve, is an honor for which I am deeply grateful.

The State of the Union Address is traditionally an occasion for a lengthy and detailed account by the President of what he has accomplished in the past, what he wants the Congress to do in the future, and, in an election year, to lay the basis for the political issues which might be decisive in the fall.

Occasionally there comes a time when profound and far-reaching events command a break with tradition.

This is such a time.

I say this not only because 1970 marks the beginning of a new decade in which America will celebrate its 200th birthday. I say it because new knowledge and hard experience argue persuasively that both our programs and our institutions in America need to be reformed.

The moment has arrived to harness the vast energies and abundance of this land to the creation of a new American experience, an experience richer and deeper and more truly a reflection of the goodness and grace of the human spirit.

The seventies will be a time of new beginnings, a time of exploring both on the earth and in the heavens, a time of discovery. But the time has also come for emphasis on developing better ways of managing what we have and of completing what man's genius has begun but left unfinished.

Our land, this land that is ours together, is a great and a good land. It is also an unfinished land, and the challenge of perfecting it is the summons of the seventies.

It is in that spirit that I address myself to those great issues facing our nation which are above partisanship.

When we speak of America's priorities the first priority must always be peace for America and the world.

The major immediate goal of our foreign policy is to bring an end to the war in Vietnam in a way that our generation will be remembered, not so much as the

generation that suffered in war, but more for the fact that we had the courage and character to win the kind of a just peace that the next generation was able to keep.

We are making progress toward that goal.

The prospects for peace are far greater today than they were a year ago.

A major part of the credit for this development goes to the members of this Congress who, despite their differences on the conduct of the war, have overwhelmingly indicated their support of a just peace. By this action, you have completely demolished the enemy's hopes that they can gain in Washington the victory our fighting men have denied them in Vietnam.

No goal could be greater than to make the next generation the first in this century in which America was at peace with every nation in the world.

I shall discuss in detail the new concepts and programs designed to achieve this goal in a separate report on foreign policy, which I shall submit to the Congress at a later date.

Today, let me describe the directions of our new policies.

We have based our policies on an evaluation of the world as it is, not as it was twenty-five years ago at the conclusion of World War II. Many of the policies which were necessary and right then are obsolete today.

Then, because of America's overwhelming military and economic strength, because of the weakness of other major free world powers and the inability of scores of newly independent nations to defend—or even govern themselves, America had to assume the major burden for the defense of freedom in the world.

In two wars, first in Korea and now in Vietnam, we furnished most of the money, most of the arms, most of the men to help others defend their freedom.

Today the great industrial nations of Europe, as well as Japan, have regained their economic strength, and the nations of Latin America—and many of the nations who acquired their freedom from colonialism after World War II in Asia and Africa—have a new sense of pride and dignity, and a determination to assume the responsibility for their own defense.

That is the basis of the doctrine I announced at Guam.

Neither the defense nor the development of other nations can be exclusively or primarily an American undertaking.

The nations of each part of the world should assume the primary responsibility for their own well-being; and they themselves should determine the terms of that well-being.

We shall be faithful to our treaty commitments, but we shall reduce our involvement and our presence in other nations' affairs.

To insist that other nations play a role is not a retreat from responsibility; it is a sharing of responsibility.

The result of this new policy has been not to weaken our alliances, but to give them new life, new strength, a new sense of common purpose.

Relations with our European allies are

once again strong and healthy, based on mutual consultation and mutual responsibility.

We have initiated a new approach to Latin America, in which we deal with those nations as partners rather than patrons.

The new partnership concept has been welcomed in Asia. We have developed an historic new basis for Japanese-American friendship and cooperation, which is the linchpin for peace in the Pacific.

If we are to have peace in the last third of the century, a major factor will be the development of a new relationship between the United States and the Soviet Union.

I would not underestimate our differences, but we are moving with precision and purpose from an era of confrontation to an era of negotiation.

Our negotiations on strategic arms limitations and in other areas will have far greater chance for success if both sides enter them motivated by mutual self-interest rather than naive sentimentality.

This is the same spirit with which we have resumed discussions with Communist China in our talks at Warsaw.

Our concern in our relations with both these nations is to avoid a catastrophic collision and to build a solid basis for peaceful settlement of our differences.

I would be the last to suggest that the road to peace is not difficult and dangerous, but I believe our new policies have contributed to the prospect that America may have the best chance since World War II to enjoy a generation of uninterrupted peace. And that chance will be enormously increased if we continue to have a relationship between Congress and the Executive in which, despite differences in detail, where the security of America and the peace of mankind are concerned, we act not as Republicans, not as Democrats—but as Americans.

As we move into the decade of the 70s, we have the greatest opportunity for progress at home of any people in world history.

Our Gross National Product will increase by five hundred billion dollars in the next ten years. This increase alone is greater than the entire growth of the American economy from 1790 to 1950.

The critical question is not whether we will grow, but how we will use that growth.

The decade of the sixties was also a period of great growth economically. But in that same ten-year period we witnessed the greatest growth of crime, the greatest increase in inflation and the greatest social unrest in America in a hundred years. Never has a nation seemed to have had more and enjoyed it less.

At heart, the issue is the effectiveness of government.

Ours has become as it continues to be—and should remain—a society of large expectations. Government helped to generate those expectations. It undertook to meet them. Yet, increasingly, it proved unable to do so.

As a people, we had too many visions—and too little vision.

Now, as we enter the seventies, we should enter also a great age of reform of the institutions of American government.

Our purpose in this period should not be simply better management of the programs of the past. The time has come for a new quest—a quest not for a greater quantity of what we have—but for a new quality of life in America.

A major part of the substance for an unprecedented advance in this nation's approach to its problems and opportunities is contained in more than two-score legislative proposals which I sent to the Congress last year and which still await enactment.

I will offer at least a dozen more major programs in the course of this session.

At this point I do not intend to go through a detailed listing of what I have proposed or will propose, but I would like to mention three areas in which urgent priorities demand that we move and move now:

First, we cannot delay longer in accomplishing a total reform of our welfare system. When a system penalizes work, breaks up homes, robs recipients of dignity, there is no alternative to abolishing that system and adopting in its place the program of income support, job training, and work incentives which I recommended to the Congress last year.

Second, the time has come to assess and reform all of our institutions of government at the Federal, state, and local level. It is time for a New Federalism, in which, after 190 years of power flowing from the people and local and state governments to Washington, D.C., it will begin to flow from Washington back to the states and to the people of the United States.

Third, we must adopt reforms which will expand the range of opportunities for all Americans. We can fulfill the American dream only when each person has a fair chance to fulfill his own dreams. This means equal voting rights, equal employment opportunity, and new opportunities for expanded ownership because in order to be secure in their human rights, people need access to property rights.

I could give similar examples of the need for reform in our programs for health, education, housing, transportation, as well as other critical areas which directly affect the well-being of millions of Americans.

The people of the United States should wait no longer for these reforms that would so deeply enhance the quality of their life.

When I speak of action which would be beneficial to the American people, I can think of none more important than for the Congress to join this Administration in the battle to stop the rise in the cost of living.

Now, I realize it is tempting to blame someone else for inflation.

Some blame business for raising prices.

And some blame unions for asking for more wages.

But a review of the stark fiscal facts

of the 1960s clearly demonstrates where the primary blame for rising prices must be placed.

In the decade of the sixties the Federal government spent fifty-seven billion dollars more than it took in in taxes.

In that same decade the American people paid the bill for that deficit in price increases which raised the cost of living for the average family of four by \$200 per month in America.

Now, millions of Americans are forced to go into debt today because the Federal government decided to go into debt yesterday. We must balance our Federal budget so that American families will have a better chance to balance their family budgets.

Only with the cooperation of the Congress can we meet this highest priority objective of responsible government.

We're on the right track.

We had a balanced budget in 1969.

This Administration cut more than seven billion dollars out of spending plans in order to produce a surplus in 1970.

And, in spite of the fact that Congress reduced revenues by three billion dollars, I shall recommend a balanced budget for 1971.

But I can assure you that not only to present but to stay within a balanced budget requires some very hard decisions. It means rejecting spending programs which would benefit some of the people when their net effect would result in price increases for all the people.

It is time to quit putting good money into bad programs. Otherwise we will end up with bad money and bad programs.

I recognize the political popularity of spending programs, and particularly in an election year. But unless we stop the rise in prices, the cost of living for millions of American families will become unbearable and government's ability to plan programs for progress for the future will become impossible.

In referring to budget cuts, there is one area where I have ordered an increase rather than a cut, and that is the requests of those agencies with the responsibilities for law enforcement.

We've heard a great deal of over-blown rhetoric during the sixties in which the word "war" has perhaps too often been used—the war on poverty, the war on misery, the war on disease, the war on hunger. But if there is one area where the word "war" is appropriate it is in the fight against crime. We must declare and win the war against the criminal elements which increasingly threaten our cities, our homes and our lives.

We have a tragic example of this problem in the nation's Capital, for whose safety the Congress and the Executive have the primary responsibility. I doubt if many members of this Congress who live more than a few blocks from here would dare leave their cars in the Capitol Garage and walk home alone tonight.

This year this Administration sent to the Congress thirteen separate pieces of legislation dealing with organized crime, pornography, street crime, narcotics and crime in the District of Columbia.

None of these bills has reached my desk for signature.

I am confident that the Congress will

act now to adopt the legislation I placed before you last year. We in the Executive have done everything we can under existing law, but new and stronger weapons are needed in that fight.

While it is true that state and local law enforcement agencies are the cutting edge in the effort to eliminate street crime, burglaries, and murder, my proposals to you have embodied my belief that the Federal government should play a greater role in working in partnership with these agencies.

That is why 1971 Federal spending for local law enforcement will double that budgeted for 1970.

The primary responsibility for crimes that affect individuals is with local and state rather than with Federal government. But in the field of organized crime, narcotics, and pornography, the Federal government has a special responsibility it should fulfill. And we should make Washington, D.C., where we have the primary responsibility, an example to the nation and the world of respect for law rather than lawlessness.

I now turn to a subject which, next to our desire for peace, may well become the major concern of the American people in the decade of the seventies.

In the next ten years we shall increase our wealth by 50 percent. The profound question is—does this mean we will be 50 percent richer in a real sense, 50 percent better off, 50 percent happier?

Or does it mean that in the year 1980 the President standing in this place will look back on a decade in which 70 percent of our people live in metropolitan areas choked by traffic, suffocated by smog, poisoned by water, deafened by noise, and terrorized by crime?

These are not the great questions that concern world leaders at summit conferences. But people do not live at the summit. They live in the foothills of everyday experience. And it is time for all of us to concern ourselves with the way real people live in real life.

The great question of the seventies is, Shall we surrender to our surroundings, or shall we make our peace with Nature and begin to make reparations for the damage we have done to our air, to our land, and to our water?

Restoring Nature to its natural state is a cause beyond party and beyond factions. It has become a common cause of all the people of this country. It is a cause of particular concern to young Americans—because they more than we will reap the grim consequences of our failure to act on programs which are needed now if we are to prevent disaster later.

Clean air, clean water, open spaces—these should once again be the birthright of every American. If we act now, they can be.

We still think of air as free. But clean air is not free, and neither is clean water. The price tag on pollution control is high. Through our years of past carelessness we incurred a debt to Nature, and now that debt is being called.

The program I shall propose to Congress will be the most comprehensive and costly program in this field in America's history.

It is not a program for just one year. A year's plan in this field is no plan at all. This is the time to look ahead not a year but five years or ten years—whatever time is required to do the job.

I shall propose to this Congress a \$10 billion nationwide clean waters program to put modern municipal waste treatment plants in every place in America where they are needed to make our waters clean again, and do it now.

We have the industrial capacity, if we begin now, to build them all within five years. This program will get them built within five years.

As our cities and suburbs relentlessly expand, those priceless open spaces needed for recreation areas accessible to their people are swallowed up—often forever. Unless we preserve these spaces while they are still available, we will have none to preserve. Therefore, I shall propose new financing methods for purchasing open space and park lands now, before they are lost to us.

The automobile is our worst polluter of the air. Adequate control requires further advances in engine design and fuel composition. We shall intensify our research, set increasingly strict standards, and strengthen enforcement procedures—and we shall do it now.

We can no longer afford to consider air and water common property, free to be abused by anyone without regard to the consequences. Instead we should begin now to treat them as scarce resources which we are no more free to contaminate than we are free to throw garbage into our neighbor's yard. This requires comprehensive new regulations. It also requires that to the extent possible the price of goods should be made to include the costs of producing and disposing of them without damage to the environment.

Now, I realize that the argument is often made that there is a fundamental contradiction between economic growth and the quality of life, so that to have one we must forsake the other.

The answer is not to abandon growth, but to redirect it. For example, we should turn toward ending congestion and eliminating smog the same reservoir of inventive genius that created them in the first place.

Continued vigorous economic growth provides us with the means to enrich life itself and to enhance our planet as a place hospitable to man.

Each individual must enlist in this fight if it is to be won.

It has been said that no matter how many national parks and historical monuments we buy and develop, the truly significant environment for each of us is that in which we spend eighty percent of our time—in our homes, in our places of work, the streets over which we travel.

Street litter, rundown parking strips and yards, dilapidated fences, broken windows, smoking automobiles, dingy working places, all should be the object of our fresh view.

We have been too tolerant of our surroundings and too willing to leave it to others to clean up our environment. It is time for those who make massive demands on society to make some minimal demands on themselves. Each of us must

resolve that each day he will leave his home, his property, the public places of the city or town a little cleaner, a little better, a little more pleasant for himself and those around him.

With the help of people we can do anything and without their help we can do nothing. In this spirit, together, we can reclaim our land for ours and generations to come.

Between now and the year 2000, over one-hundred-million children will be born in the United States. Where they grow up—and how—will, more than any one thing, measure the quality of American life in these years ahead.

This should be a warning to us.

For the past thirty years our population has also been growing and shifting. The result is exemplified in the vast areas of rural America emptying out of people and of promise—a third of our counties lost population in the sixties.

The violent and decayed central cities of our great metropolitan complexes are the most conspicuous area of failure in American life today.

I propose that before these problems become insoluble, the Nation develop a national growth policy.

In the future, Government decisions as to where to build highways, locate airports, acquire land or sell land should be made with a clear objective of aiding a balanced growth for America.

In particular, the Federal Government must be in a position to assist in the building of new cities and the rebuilding of old ones.

At the same time, we will carry our concern with the quality of life in America to the farm as well as the suburb, to the village as well as to the city. What rural America needs most is a new kind of assistance. It needs to be dealt with, not as a separate Nation, but as part of an overall growth policy for all America. We must create a new rural environment which will not only stem the migration to urban centers but reverse it.

If we seize our growth as a challenge, we can make the 1970s an historic period when by conscious choice we transformed our land into what we want it to become.

America, which has pioneered in the new abundance, and in the new technology, is called upon today to pioneer in meeting the concerns which have followed in their wake—in turning the wonders of science to the service of man.

In the majesty of this great chamber we hear the echoes of America's history, of debates that rocked the Union and those that repaired it, of the summons to war and the search for peace, of the uniting of the people and the building of a nation.

Those echoes of history remind us of our roots and our strengths.

They remind us also of that special genius of American democracy, which at one critical turning point after another has led us to spot the new road to the future and given us the wisdom and the courage to take it.

As I look down that new road which I have tried to map out today, I see a new America as we celebrate our two hundredth anniversary 6 years from now.

I see an America in which we have abolished hunger, provided the means for every family in the nation to obtain a minimum income, made enormous progress in providing better housing, faster transportation, improved health and superior education.

I see an America in which we have checked inflation, and waged a winning war against crime.

I see an America in which we have made great strides in stopping the pollution of our air, cleaning up our water, opening up our parks, and continuing to explore in space.

And most important, I see an America at peace with all the nations of the world.

This is not an impossible dream. These goals are all within our reach.

In times past, our forefathers had the vision but not the means to achieve such goals.

Let it not be recorded that we were the first American generation that had the means but not the vision to make this dream come true.

But let us, above all, recognize a fundamental truth. We can be the best clothed, best fed, best housed people in the world, enjoying clear air, clean water, beautiful parks, but we could still be the unhappiest people in the world without an indefinable spirit—the lift of a driving dream which has made America from its beginning the hope of the world.

Two hundred years ago this was a new nation of three million people, weak militarily, poor economically. But America meant something to the world then which could not be measured in dollars, something far more important than military might.

Listen to President Thomas Jefferson in 1802: "We act not for ourselves alone, but for the whole human race."

We had a spiritual quality then which caught the imagination of millions of people in the world.

Today, when we are the richest and strongest nation in the world, let it not be recorded that we lack the moral and spiritual idealism which made us the hope of the world at the time of our birth.

The demands on us in 1976 are even greater than in 1776.

It is no longer enough to live and let live. Now we must live and help live.

We need a fresh climate in America, one in which a person can breathe freely and breathe in freedom.

Our recognition of the truth that wealth and happiness are not the same thing requires us to measure success or failure by new criteria.

Even more than the programs I have described today, what this nation needs is an example from its elected leaders in providing the spiritual and moral leadership which no programs for material progress can satisfy.

Above all, let us inspire young Americans with a sense of excitement, a sense of destiny, a sense of involvement in meeting the challenges we face in this great period of our history. Only then are they going to have any sense of satisfaction in their lives.

The greatest privilege an individual can have is to serve in a cause bigger than himself. We have such a cause.

How we seize the opportunities I have described today will determine not only our future, but the future of peace and freedom in this world in the last third of this century.

May God give us the wisdom, the strength and, above all, the idealism to be worthy of that challenge, so that America can fulfill its destiny of being the world's best hope for liberty, for opportunity, for progress and peace for all peoples.

[Applause, the Members rising.]

At 1 o'clock and 10 minutes p.m., the President of the United States, accompanied by the committee of escort, retired from the Hall of the House of Representatives.

The Doorkeeper escorted the invited guests from the Chamber in the following order:

The members of the President's Cabinet.

The Chief Justice of the United States and the Associate Justices of the Supreme Court.

The ambassadors, ministers, and chargés d'affaires of foreign governments.

JOINT SESSION DISSOLVED

The SPEAKER. The Chair declares the joint session of the two Houses now dissolved.

Accordingly at 1 o'clock and 15 minutes p.m., the joint session of the two Houses was dissolved.

The Members of the Senate retired to their Chamber.

The SPEAKER. The House will be in order.

MESSAGE OF THE PRESIDENT

Mr. ALBERT. Mr. Speaker, I move that the message of the President be referred to the Committee of the Whole House on the State of the Union and ordered printed.

The motion was agreed to.

PERMISSION FOR COMMITTEE ON RULES TO FILE CERTAIN PRIVILEGED REPORTS

Mr. COLMER. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

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

There was no objection.

U.S. POLICIES IN THE MIDDLE EAST

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

Mr. TIERNAN. Mr. Speaker, I have become increasingly concerned lately over the path our Government has been traveling with respect to U.S. policies in the Middle East. I refer specifically to the current debate over Secretary of State Rogers' statement on December 9, which alluded to certain proposals for peace in the Middle East. Regrettably,

the Congress is not being told what the intentions of the administration are, and our allies are being left in the dark.

It is my feeling that the House of Representatives should again reaffirm its sentiment for direct negotiations between the State of Israel and the Arab States. Accordingly, I have joined yesterday with the distinguished gentleman from Florida (Mr. PEPPER) in submitting a concurrent resolution which makes clear our position with respect to a settlement in the Middle East. This resolution expresses the position that our Government should continue to press for direct face-to-face negotiations, that the United States should not attempt to impose a settlement in the Middle East and the conviction that peace will only come about by direct negotiations.

The administration has an obligation to the Congress to keep us informed as to their intentions in the Middle East. It is my hope that the confusion that now exists will be cleared up. Hopefully, the enactment of this resolution will let the administration know exactly how we feel.

UKRAINIAN INDEPENDENCE DAY

(Mr. BARRETT asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. BARRETT. Mr. Speaker, on this occasion of the 52d anniversary of Ukrainian independence, I wish to pay tribute to those valiant people and their struggle for freedom. A freedom which they enjoyed for a very short period of time, when along with many other peoples they benefited from the principles of national self-determination enunciated by Woodrow Wilson.

They have struggled for freedom and independence for centuries; against the Mongol hordes, the Russian czars and now against the Russian Communists when the Red army in early 1920 overran the independent nation of Ukraine. And, to this date it remains chained to the Soviet Union.

There in their homeland millions of sturdy and stout-hearted Ukrainians lead a miserable life. Like prisoners held behind the Iron Curtain, they are deprived of all forms of freedom, and cannot even celebrate their independence day. In all the centuries and despite the adversities they have maintained their heritage and true nationality.

We of the free world, and in this great Republic in celebrating the 52d anniversary of that memorable event, hope and pray for their deliverance from Communist totalitarian tyranny.

NATIONAL LEAGUE OF CITIES ISSUES POLICY STATEMENT ON ORGANIZED CRIME

(Mr. FASCELL asked and was given permission to extend his remarks at this point in the RECORD, and to include extraneous matter.)

Mr. FASCELL. Mr. Speaker, the National League of Cities represents more than 14,600 cities throughout the United States. It enunciates its national municipal policy at its annual Congress of Cities. Recently at its 46th annual congress, the league, for the first time, an-

nounced a policy statement directly addressing the organized crime problem.

The organized crime statement, which is part of its comprehensive public safety policy, reads as follows:

The special challenge presented by organized crime makes Federal, State and local cooperation particularly vital in this field. To improve coordination against organized crime, the Attorney General of the United States should work with State and local officials to develop and implement a national plan to curb organized crime. This plan should identify the capabilities and responsibilities of the Federal, State and local governments regarding organized crime and suggest how these various capabilities can be most effectively used, provide for coordination and centralized analysis of intelligence about organized crime, and insure cooperation in enforcement activity against organized crime.

Under our system of law the primary responsibility for law enforcement rests with local officials. However, it is equally clear that organized crime respects no local or State boundaries in carrying out its corrupt work. Therefore, the need for coordination and cooperation among Federal, State, and local regulatory and law enforcement units in this area is quite evident.

Its policy statement on organized crime typifies the concern historically shown by the National League of Cities for solving the Nation's problems. A unified and forceful effort against organized crime by the league's 14,600 member cities could make the 1970's the decade in which that menace was finally overcome.

As part of its recent annual Congress of Cities, the league was addressed by the Honorable Charles H. Rogovin, Administrator of the Law Enforcement Assistance Administration. Mr. Rogovin, clearly and forcefully articulates the threat posed by organized crime. His address follows:

ADDRESS BY THE HONORABLE CHARLES H. ROGOVIN BEFORE THE SPECIAL CONCURRENT SESSION ON ORGANIZED CRIME, NATIONAL LEAGUE OF CITIES, DECEMBER 4, 1969

I want to start with a couple of assumptions. I would assume we can all agree that organized crime is not a myth, a figment of somebody's imagination. It exists. No one can close their eyes to it any longer. The question is what is to be done about it.

The second assumption: Nobody here labors under the delusion that there is some ethnic monopoly on organized crime in the United States. Let me state as a fact that there is no such thing as a total ethnic monopoly in organized criminal activity. It is not composed exclusively of men of Italian extraction, or any other racial or ethnic group. As a matter of fact, it is probably one of the most democratic kinds of enterprise. Everybody goes into the swimming pool—black, white, Italian, Polish, Jewish, catholic, protestant, take your pick. It is just a question of where you go in the country. The best in organized crime—La Cosa Nostra or the Mafia, depending upon which terminology you want to adopt—happen to be, in terms of complete membership in the group, men of Italian descent. But the total membership, according to the best available estimate, is some 3,000 to 5,000 men. In any event, the bugaboo that this is a reflection on any single ethnic group nationally is nonsense. And that is one of the assumptions that I hope you would adopt with me as we discuss this topic today.

But the proposition that much of that

kind of myth reflects is the unwillingness that has prevailed in many quarters, including your own, to acknowledge the existence of organized crime in this country. It is very interesting to note that, to the best of my knowledge, for the first time at the recent International Association of Chiefs of Police Annual Convention, your Chiefs of Police went on record with declarations regarding the activity, existence, and the results of the presence of organized crime in this country. And they are your Chiefs of Police.

They were quite realistic in what they said and I would commend to you the resolutions which emerged.

There is a clear declaration at the Federal level—a declaration of concern about the phenomenon of organized crime in this country—in statutory form in June of 1968 with the passage of the Omnibus Crime Control and Safe Streets Act. The act created the Law Enforcement Assistance Administration to generally address the problem of criminal justice in this country. In that statute, the Congress flatly declared there were two priority areas for activities: riot control—civil disorders (and I hyphenate that) and organized crime. And you may be interested to note as financial managers—one of the many responsibilities of mayors—that the concern of the Congress was expressed in very concrete terms. The matching ratio requirements built into the statute are far more favorable to encourage the development of anti-organized crime activity than in any other area except civil disorders.

President Nixon and Attorney General Mitchell have gone on the line in terms of the commitment of the National Administration with regard to organized crime. I don't come here as a partisan. I am talking of the documented record of interest and concern. It was expressed, despite budget squeezes in other areas, by the request to Congress by the President and Mr. Mitchell for a supplemental appropriation to the Congress for fiscal 1970 of an additional 25 million to increase the Federal effort in the organized crime area. The terminology "strike force" may be familiar to some of you, particularly those in the Buffalo area, the Detroit area, New York, and other major cities. The Strike Forces, which are regional anti-racketeering team efforts at the Federal level are being expanded to additional cities throughout the country. This should give pause to some of you or your colleagues—that the Federal effort has to constantly expand because there is a local failure to keep abreast of the problem.

One can perhaps quickly describe the phenomenon of organized crime in these terms: A conspiracy in most jurisdictions is an unlawful agreement among two or more persons to do something. The agreement may not be unlawful in some jurisdictions but the objective is unlawful. So it is one or the other. Either the agreement to do something unlawful to achieve a lawful objective or an agreement to achieve an unlawful objective. Conspiracy.

Organized crime is, in essence, a self-perpetuating criminal conspiracy, the objective of which is the acquisition of money by any means, legal or illegal, including bribery and murder. In this society, as I think we can all agree, the acquisition of money accomplishes something. And that is the acquisition of power. And that is what organized crime is all about.

Rich and Powerful. To those of you complacent to organized crime—and where it is particularly violent, as in the Northeast, and have tended to the view "what the hell, it is just bad guys killing bad guys," I suggest you re-appraise your concept. It is not just a question of bad guys killing bad guys. If those were the only consequences, one could look hopefully toward the revolutionary demolition of the membership. But such

has not been the case. It is interesting that the actual acts of violence are far lower than the threats to use violence. Let me point something out.

In 1961, the Federal Government offered an anti-racketeering legislative program to Congress. The then Attorney General Kennedy, testifying before a Senate Judiciary subcommittee, was asked: "What have you done with people who are willing to cooperate?" And he stated quite accurately: "We have changed their names, changed their identities, found them new jobs, moved them and their families to totally new areas, in order to protect them." And that is commendable. But what was the real point which emerged? It was what the United States Government, with all of its power and authority, had to do with regard to Joe Smith, cooperative witness, to protect him against organized crime. Obliterate a man's identity, tear him and his family up by the roots, change the manner in which he earned his living, and even move him out of the country, exile him. I suggest then that one might well consider, under those circumstances, where does the balance of power lie, if it takes all of that to protect a man who, was, in effect, a ward of the Federal Government?

Some suggested that the approach be changed at one point. Since exile was not desirable, people were being moved to military reservations, like SAC bases, where you could walk for miles on concrete, protected by high wire fences, and a large German shepherd. I don't find that a terribly desirable prospect. But I mention this to you to indicate what you are contending with or what I hope some of you are contending with and others will be disposed to contend with. We have for years and for generations stated time and time again that law enforcement—police, courts, corrections, but most particularly police—is primarily a local and state responsibility. That is the thrust of the Omnibus Crime Bill, and it is the philosophy of this administration that efforts in the field must, in fact, be conducted on a partnership basis.

These partnership efforts are broad. Even the anti-racketeering strike forces are not to be an exclusive federal activity. Efforts are now underway and will be expanded, to integrate state and local investigative agents, prosecutive personnel, and other support people into the strike forces. I point to the effort underway in New York City. For the first time, out of the Federal Organized Crime and Racketeering Section come prosecutors; from the Federal investigative agencies come supervisory level personnel; from the District Attorneys offices of Mr. Hogan and Mr. Roberts, in Manhattan and the Bronx, and from New Jersey and other states come participating personnel. So, it is to become a partnership where such is possible. In that regard, my own agency has a distinct organized crime program division which has undertaken a national effort to develop training capabilities and provide expert information to local and state personnel, police agents, prosecutive officials, judges, and hopefully, local elective officials. We have had two separate training programs already, each of a week's duration, one in Illinois and one in Georgia, and I propose to do one in the West of Southwest and another in the Northeast. These efforts are designed to develop the skills on the part of those local and state personnel who currently lack them to work effectively in the organized crime field. We also are proposing the development of inter-state regional anti-organized crime efforts. We have technical assistance, consultants, and in-house capability available for activity anywhere in the country where there is an interest in developing the kinds of units that will be effective against organized crime. But there is a more essential question. One can have all

kinds of facilities and programs available but if there is a failure of commitments on the part of the Chief Executive at whatever the appropriate level of government it may be, there will be no bonafide effort made to take advantage of such facilities or opportunities. And it then becomes your responsibilities—collectively and individually—to see that these efforts are undertaken. Municipal police forces are your police forces.

There is no Federal police; we should not have one; we don't need one. The police in this country are competent to discharge their responsibilities but political leadership has the responsibility to undertake the commitments to do something in this field. Some Mayors, interestingly enough, and in a perfectly bonafide way, will respond with a denial on the question of whether there is organized criminal activity in their jurisdiction. And if one examines the basis of the denial, one can very clearly and fairly conclude that the Mayor was perfectly honest in his response, because he lacked the necessary information to reach the opposite conclusion. One can understand that, but I am dubious that one should have to observe that for much longer.

And then there are other situations, where, when asked about the presence and activity of organized crime, there is a denial. While one explanation may be actual, direct corruption, another may well be that as soon as the presence and activity of organized crime is acknowledged, someone invariably begins to ask: "Well, if we have it, what are you doing about it?" And comes next election time, there must be an accounting, so it becomes more convenient to deny rather than to affirm and undertake an affirmative program to meet the needs. The principal strategy and the tactics accompanying the attempt to achieve a strategic goal of eliminating or containing organized crime has been what is characterized as "headhunting". This is identifying a figure that intelligence reports disclose to be involved in organized crime, attempting to develop evidence of a violation of the law, then prosecution and incarceration. I think it was Professor G. Robert Blakely, Chief Counsel to Senator McClellan Criminal Laws and Procedure Subcommittee of the Senate Judiciary Committee, who made an interesting point in this regard. He said that since development of the intensive Federal effort, and the development of some concomitant state and local interest, more organized crime figures have been disabled through heart attacks, automobile accidents, and death due to natural causes than by the results of investigation and prosecution.

What can be done? What should be done? I respectfully commend to you at least this much—that you direct the chief operating officials of your police agencies, if they have not already done so, to develop and maintain an on-going organized crime intelligence unit, so that you will at least be informed. In addition, you should direct that the personnel involved in such activities be maintained there and not spend two months in that program and the next 19 months on something else. We don't want a situation of crisis response but rather an attempt to institutionalize rational responses.

What do you do with regard to the backgrounds of the persons that you are, under the law, able to appoint to positions in your jurisdiction? As a matter of self-preservation, if nothing else, and I would hope that it would be something more than that, you can encourage the development of a background investigation procedure so you know who the persons are that you are proposing to appoint, perhaps to the Board that controls the issuance of your liquor licenses or handles zoning activities in your community, town or city. If you are not doing it, I suggest you should because the desirability

I believe is clear. If you fail to assume the responsibility now, you will assume the criticism later, whether you like it or not, if something goes wrong. At least those of you as chief executives of the cities, and perhaps all of you, have counsel available, whether it is the city solicitor or a township attorney. Who among you or your colleagues have ever directed that your solicitor undertake a review of the ordinances which govern your community under which you act to determine where there are deficiencies with regard to the penetration into your legitimate business enterprises by organized crime? I don't ask it rhetorically; I ask it in the hope that you will do so. The kind of action undertaken by the Attorney General in Florida, an anti-trust type law suit, is the kind of thing that could serve as a model at the local level. There is no mystique in this. It is a question of putting your lawyers to work in this capacity. But there is above all, I believe, two critically essential basic elements in this field: Number one, the declaration, and number two, the continuing commitment to the institutionalization of anti-organized crime efforts on the part of the jurisdiction's chief executive. Without it, the bureaucracy—and I don't use that term in a bad sense—below the mayor does not respond. But if they find a sense of commitment, I believe they will. The first level for that is the police administration. Only with your declared commitment and effort to continue that commitment can you develop a consistent, local response to the problem, which will permit you to address the needs in your immediate jurisdiction and further permit you to undertake cooperative activity with sister cities and towns within the state and perhaps outside it.

I was interested when Dr. Cressey suggested some thing to you about the study entitled "Wincanton." "Wincanton" has been publicly identified by its own Mayor as Reading, Pennsylvania. It was a totally organized crime community and after a massive five year Federal effort, the back of the rackets was broken in Reading. The racketeering boss—who was not of Italian extraction but happened to be of Russian-Jewish origin—was put into the penitentiary and a number of others went to jail and the former police chief who had been indicted for perjury but became a government witness was out of office, and a reform element was elected. And the follow-up survey of the citizens of Reading established that they were very happy not to live under the organized crime cloud, not to have to pay for the things they were entitled to get as citizens. But they raised one small concern. The consensus of the majority polled was that after the effort which has disclosed the terrible corruption—that principally illegal gambling revenues had engendered—the populace felt that they would like to have a little gambling.

I suggest to you that a little gambling is like being a little bit pregnant. One element often lost sight of by those wrestling with the terrible public concern—and in some cases hysteria—over street crime, is the connection between organized crime and street crime. Those of you whose cities have a hard narcotics problem ought to give this some thought. I am not speaking of bennies or amphetamines or pot. I am talking about heroin. There is no domestic development of heroin. It is all imported. Every ounce. It comes from outside the country. There is a highly effective investigative agency called the Bureau of Narcotics and Dangerous Drugs and there is the Customs Service, which work enormous numbers of hours while attempting to impede the flow of heroin to this country. Distribution channels are as sophisticated and expensive as any ever conceived for illegal activities. I cannot find anyone who will dispute that

the importation of heroin is the province of the hard core in organized crime—La Cosa Nostra or the Mafia.

But to indicate their "smarts" they are no longer responsible for the street-level distribution. They will bring it in, finance its importation, and arrange the basic wholesale distribution. The story of the junkie is as well known to you as it is to anybody in the Federal Government. And how the junkie supports a habit? It may be prostitution for a woman; it may be shoplifting for men or women; it can be robberies or burglaries, larcenies of an infinite range. But how are these things recorded in your crime statistics? They are not recorded as organized crime activities. They are recorded as street crimes. When you look at the descriptions, for example, in Harlem in New York City and you look at the enormous dollar loss due to the drug addicts, then I would suggest it is very obvious what the connection is between organized crime and street crime.

Let me ask those of you who are business men: What does one do with a hi-jacked truckload of 100 cases of color television sets? The answer is that you or I don't know what to do with them. But they move, and they move with no serious difficulties because one of the principle activities of high revenue generation in organized crime is the fencing of large volumes of stolen property. How does it happen that a product being sold out of factories in the Northeast appears on the shelves of retail stores in the South before the salesman for the company have been into the territory. It has to be very clear. Organized crime has better distribution channels than the manufacturer of the particular product I am referring to. And by the truckload. Those are not recorded as organized crime incidents. They are recorded, just as the larceny of a television set on an individual basis from your apartment or mine may be—as a street crime. And yet there is a connection.

I came here to make a point I hope you will leave with, or at least question me about: The issue of commitment and whether you are prepared to make it; whether you are prepared to direct your police agencies to respond to this problem of organized crime. There are a variety of opportunities available that have never been available before. It has been said that every idea has its time. Those of us who have worked in organized crime enforcement over the years have been delighted because we believe that this is the time to start making legal progress. But the question is not whether 200 or 300 or 600 people working at state and local and Federal levels alone are going to get this job done. Either those who are political leaders in this country are going to generate the response or we will face a time when the problem will become so impossible to deal with we may not even be able to identify it any longer.

PATENT RIGHTS FOR EMPLOYEE INVENTORS

(Mr. MOSS asked and was given permission to extend his remarks at this point in the Record and to include extraneous material.)

Mr. MOSS. Mr. Speaker, for the past year and a half I have been researching legislation to more adequately protect the rights of employee inventors. I am pleased to say that today I am introducing the result of that research. For the benefit of my colleagues there also follows an article by Robert J. Kuntz, a constituent, which describes the need for such legislation:

PATENT RIGHTS FOR EMPLOYEE INVENTORS (By Robert J. Kuntz, P.E., first vice president, California Society of Professional Engineers)

The idea of a patent means many things to many people. Sometimes, it is good to clinically examine the meaning of terms before proceeding with a concept. The World Book Encyclopedia defines a patent as "an official paper issued by a national government to indicate ownership of property. The term letters patent, or simply patents, refers to the right to control the manufacture and sale of a product. This monopoly, limited in time and type, is given to the inventor of a device, or a process, to reward him for his genius." The World Book further relates that "France adopted its first patent legislation in 1791. It believes that the patent law should be based on the idea that the inventor's right is a natural right."

The founders of the U.S. Constitution were aware of the dependence of a free society on the creativity and genius of its people. As a result, the Constitution of the United States gives Congress the power to enact laws relating to patents in Article 1, Section 8, which reads:

"Congress shall have power—to promote the progress of science and useful arts, by securing for limited times to the authors and inventors, the exclusive right to their respective writings and discoveries."

In each of the above references, attention is called to the emphasis given to the rights of the inventors. It is very plain to see that the original intent of patent law was to grant a legal right and monopoly to an inventor as a reward for his genius. Daniel Webster successfully prosecuted an infringement of Charles Goodyear's patent on vulcanization over 100 years ago. Webster told the court:

"What a man earns by thought, study, and care is as much his own as what he obtains by his hands. It is said that by natural law, the son has no right to inherit the estate of his father or to take it by device. Invention, as a right of property, stands higher than inheritance or device, because it is personal earning."

Webster made special note of the personal ownership of invention.

Many other documents illuminate the intrinsic nature of patent rights, the least of which is not the "ethics for engineers" (Canons of Ethics, Creed, Rules of Professional Conduct). Rule 24 states:

"A customer, in designing apparatus, does not acquire any right in its design, but only the use of the apparatus purchased. A client does not acquire any right to the ideas developed and plans made by a consulting engineer, except in the specific case for which they were made."

It must be noted that the rule specifically mentions "consulting engineers", however, this is the only reference made to the rights of inventors in the Code. If engineering is a true profession, then every engineer is a consultant. An engineer-employee should be considered as practicing on the basis of a retainer. The practice and ethics of the profession should not change with the nature of employment.

The California Society of Professional Engineers considers the rights of an inventor to be intrinsic in nature. The U.S. Patent Law clearly states that financial assistance in developing a patent in no way grants the provider of that assistance a position as co-inventor. This position is upheld in every patent prosecution even with the employment preassignment agreements. The patent must be filed in the name of the inventor even though the inventor is required by his employer to assign all of his rights in the patent to his employer. In most cases, the employer assignment agreement calls for the payment of \$1.00.

Most engineering employees consider that their employers must have some rights in the employee's invention; however employees also feel that the employer should not have exclusive rights.

Employers feel that their financial contribution, and the fact that the employee is retained on a salary basis, is sufficient justification for the employers taking 100% of patents that are a direct outgrowth of the job assignment. Many employers even claim full rights to inventions made by employees outside of their job assignments and on their own time.

EMPLOYEES' POSITION

The problem of the employed inventor was considered in depth by a Congressional investigation during the 87th Congress. At that time, a study was conducted by the Committee on the Judiciary, Sub-Committee on Patents, Trade-Marks and Copyrights. During this time, laws protecting the rights of employed inventors in Europe were investigated. In the final report, it was stated that "the Corporations themselves in pressing for the policy of the Government, leaving with the research contractor the patents that stem from Government-financed research, vigorously contend that money compensation alone is not sufficient to bring forth the best efforts of the researcher and that they (the corporations) should receive patent rewards as well. Assuming, without conceding, that this be true in the case of Government research contracts, corporations have not made it clear why it should be any less true in the case of their own employee contracts."

ALL AFFECTED

Nearly every corporation, Government Agency and Educational Institution, requires their prospective employees to assign all rights to future inventions to the employer as a condition of employment. Engineers have experienced this situation so consistently that they have become accustomed and reluctantly resigned to it. Many engineers have been sufficiently "conditioned" that they even support the employer's position that pre-assignment of all invention rights is moral and just as a consideration of salary paid. Many engineers, however, have noted well the "6 months clause" (most preassignment agreements are binding from the date of hire to 6 months after termination) in many of these preassignment agreements. When an invention is conceived, many engineers document it and subsequently put it into their "idea file". These engineers consider that some day they will be "on their own" and will be able to make a fortune from their "idea bank". These individuals feel that there is no incentive for them to document their ideas and disclose them to their employer when they will get nothing out of it. Consequently, many excellent concepts are buried forever and no one benefits.

WHO WINS?

The employer believes that preassignments of inventions protects his interest. Actually, these agreements are indirectly costing the employer fortunes through lost inventions and incentives of employees. Strangely, employers are initiated "suggestion plans" to increase the incentives of shop personnel, technicians, and other non-professionals. It is assumed that creativity is part of the job for professionals and thus additional compensation or rewards are not warranted. Some suggestion plan awards amount to in excess of \$2,000. It is interesting to compare this to the \$1.00 that each of the inventors of the transistor received from Bell Laboratories; or, in another case, the inventor who received \$12.50 for his innovation that subsequently netted, with spin-off inventions, his company over \$5,000,000 in sales.

How many other ideas such as these have gone undisclosed because of the lack of incentive for the engineer employees? The potential sales value of ideas buried in "idea files" would be astronomical. It is just good

business to stimulate the engineer-employee to invent and disclose, and the monetary reward for these inventions would be minuscule compared to the ultimate value to the employer.

In the majority of cases, the engineer-employee in the United States has no legal position with respect to his inventions. The preassignment agreement is binding, total, and unilateral. Many companies have patent reward programs which are instituted company policy. These programs are subject to change by the company without notification of the employees. These policies vary from company to company. Some companies provide remuneration to the inventor based on a percentage of the net profits derived from the patent. Other companies provide a percent of the royalties if the company licenses another company to produce the invention. The company patent reward policies are not binding on the company and in many cases terminate with the termination of the inventor's employment. Many employees are required to disclose inventions that are the product of their own efforts independent of their company assignments (after hours and not in the company business line). The pre-assignment agreement requires that the employee disclose these to his company granting all rights to the employer.

Many companies delay the processing of the patent disclosure over a period of years, and refuse to grant rights to the employee to proceed with his invention on his own. Many employers grant release from the preassignment agreement on specific inventions in which they have no interest, and yet retain a license-free-use of the invention. This action, in essence, stymies any further action by the employee inventor, since the marketability of an encumbered patent of this nature is questionable.

NEED FOR CHANGE

Employees feel that there is a need for a complete re-evaluation of the present unilateral preassignment of patent rights as a condition of employment. Most feel that these agreements should be supplanted with bi-lateral agreements that recognize the rights of both the employee and employer.

H.R. 15512

A bill to create a comprehensive Federal system for determining the ownership of and amount of compensation to be paid for inventions and proposals for technical improvement made by employed persons

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

SECTION. 1. Title 35, United States Code, is amended by adding at the end thereof the following new part:

"PART IV—EMPLOYEE INVENTIONS

"Chap.	Sec.
"40. Definitions and scope of application	401.
"41. Service inventions	411.
"42. Patent on service inventions	421.
"43. General provisions	431.

"CHAPTER 40.—DEFINITIONS AND SCOPE OF APPLICATION

"Sec.
"401. Scope of application.
"402. Definitions.
"§ 401. Scope of application.
"This part applies to all inventions, and proposals for technical improvement made by—

"(1) employees of private persons or organizations,
"(2) military personnel and employees of Federal, State, territorial, and local governments, and

"(3) other persons who consent by contract to be treated as employees under this part for the purpose of determining the compensation to be paid for their inventions or proposals for technical improvement, except that nothing in this part shall apply

to an invention made by an employee which is subject to an agreement between the employee and his employer to the effect that the invention shall be a free invention which is the exclusive property of the employee and with respect to which the employer has no rights.

"§ 402. Definitions.

"As used in this part, the term—

"(1) 'employee' means any person who, under the usual common law rules applicable in determining the employer-employee relationship, has the status of an employee; and any member of the military;

"(2) 'invention' means an invention which is patentable under Chapter 10 of this title;

"(3) 'proposal for technical improvement' means a proposal for a new and useful technical innovation in connection with an existing process, machine, manufacture, or composition of matter which innovation—

"(A) is not patentable under Chapter 10 of this title by reason of its inclusion within the scope of a prior patent;

"(B) is an application of a secret process or trade secret; or

"(C) uses products which cannot be analyzed;

"(4) 'service invention' means an invention made by an employee at any time during his period of employment which either—

"(A) has grown out of the type of work performed by the employee, or

"(B) is definitely based on experiences gained during his employment or on operations carried out by the employer; and

"(5) 'free invention' means any invention made by an employee which is not a service invention.

"CHAPTER 41—SERVICE INVENTIONS

"Sec.

"411. Duty of giving notice.

"412. Claiming the invention.

"413. Service inventions which become free.

"414. Compensation for service inventions.

"§ 411. Duty of giving notice.

"(a) An employee who has made a service invention must give written notice of the service invention to his employer without undue delay. If several employees shared in making the service invention, they may give notice either independently or jointly to the employer. Upon receipt of the employee's notice, the employer shall without undue delay provide the employee with a written statement of the exact time when the notice was received.

"(b) The employee's notice shall conspicuously indicate that it relates to an invention and shall contain a complete description of the invention including—

"(1) a description of the technical problem, its solution, and the way in which the invention originated,

"(2) sketches, drawings, and other documents or records to the extent necessary to understand the invention,

"(3) the instructions, directions, and rules officially given to the employee by the employer which relate to the invention,

"(4) the experiences of the employee gained from the employment and the operations of the employer which were utilized in the invention, and

"(5) the names of coworkers who contributed to the invention and a description of the nature and degree of their contribution (pointing out what the employee considers to be his own share).

"(c) An employee's notice which does not conform to the requirements of subsection (b) shall nevertheless be deemed complete if the employer does not advise the employee in writing, within two months after receipt of the employee's notice, in what respects the notice is incomplete. At the request of the employee, the employer shall assist the employee in completing the notice.

"§ 412. Claiming the invention.

"(a) An employer may claim an employee's service invention by giving a written declaration of his claim to the employee as

soon as is practicable but not more than four months after the employer has received a complete notice of the service invention from the employee in conformity with section 411.

"(b) Upon receipt by the employee of a declaration of the employer's claim to the employee's service invention, the employee shall assign all rights to the service invention to the employer in writing.

"(c) Any disposition of a service invention by an employee prior to the time of the declaration of a claim by the employer which would impair the employer's rights under this section is invalid to the extent that it impairs such rights.

"§ 413. Service inventions which become free.

"(a) A service invention becomes free when—

"(1) the employer releases it in writing;
 "(2) the employer does not claim the service invention within four months after receiving the employee's complete notice in conformity with section 411; or
 "(3) the employer does not comply with his obligation under section 421(a) to apply for a patent on the service invention.

"(b) A service invention which becomes free under this section is not subject to the provisions of section 431.

"§ 414. Compensation for service inventions.

"(a) An employee is entitled to adequate compensation for his service invention as soon as his employer has claimed the invention. Such compensation shall represent the fair market value of the employers' right to the invention adjusted to reflect the following factors: (1) the position and duties of the employee, and (2) the degree to which the operations of the employer contributed to the making of the invention.

"(b) (1) The kind and amount of compensation to be paid for a service invention shall be determined by agreement between employer and employee within a reasonable period of time prior to the expiration of three months after a patent on the service invention has been granted, or in the case of the issuance of a secrecy order with respect to the service invention under section 181 of this title, within three months after the issuance of such secrecy order. The agreement reached between the employer and employee shall be based on the regulations issued by the Secretary of Labor under section 439.

"(2) If agreement is not reached within such reasonable period of time, the employer shall determine the compensation and pay of the employee and shall give the employee a substantiated written declaration of how the amount of compensation was determined. If the employee does not object in writing within two months following the employer's declaration, the employer's determination becomes binding on both parties.

"(c) When several employees contributed to making a service invention, each employee shall notify the employer of the portion to which he is entitled and the compensation shall be determined by agreement separately with each. The determination of compensation to be paid to other contributing employees does not bind any employee who objects to the determination of his share.

"(d) When there has been a substantial change in the circumstances upon which the determination of compensation was based, the employer or employee may demand in writing that another determination of the compensation be agreed to within three months following such demand, but the employee shall in no case be obligated to return compensation which he has received.

"CHAPTER 42.—PATENT ON SERVICE INVENTIONS

"Sec.

"421. Patent application.

"422. Patent application abroad.

"423. Obligations of employer and employee

when acquiring patents.

"424. Abandonment of patent application or patent.

"425. Trade secrets.

"§ 421. Patent application.

"(a) Within six months following an employer's declaration of a claim to a service invention under section 412(a), the employer shall apply, in the name of the inventor, for a patent on the service invention unless—

"(1) the service invention has become free under section 413(a) (1) or (2); or

"(2) the employee agrees in writing that no patent application shall be made; or

"(3) section 425(a) applies.

When an employer does not comply with his obligation to apply for a patent on a service invention within six months following his declaration of a claim to the invention, the invention shall become free (section 413(a) (3)).

"(b) When a service invention has become free, if the employer has already applied for a patent on such invention, the rights on the application pass to the employee when the invention becomes free."

"§ 422. Patent application abroad.

"The employer may apply for patents on a service invention with respect to which he has made a claim in such foreign countries as he desires and shall release the service invention in favor of the employee in all other foreign countries. The employer's release shall be timely to permit the employee to take advantage of the priority periods of international treaties in the field of legal protection of industrial property.

"§ 423. Obligations of employer and employee when acquiring patents.

"(a) When an employer applies for a patent on a service invention, he shall provide the employee who made the service invention, at the time of such application, with copies of the application documents, and shall keep the employee informed concerning the proceedings and permit the employee to examine all correspondence in connection with the application.

"(b) At the employer's request, the employee who made the service invention shall assist the employer in the acquisition of a patent with respect to the invention and shall make such statements as may be necessary to document the employer's application.

"§ 424. Abandonment of patent application or patent.

"(a) When, prior to satisfying an employee's claim for adequate compensation with respect to a service invention, the employer abandons the patent application or permits the lapse of a patent already granted, he shall notify the employee in writing and assign the rights to the invention to the employee, if the employee so requests. The employer shall make available to the employee all documents necessary to preserve rights in the invention.

"(b) The employer may dispose of all rights to the invention if the employee does not request assignment of the rights within three months after receiving the employer's notice of abandonment.

"§ 425. Trade secrets.

"(a) When legitimate interests of the employer make it necessary to prevent a service invention, with respect to which notice has been given, from being known, the employer need not apply for a patent on the invention if he makes a written declaration to the employee to the effect that he recognizes the patentability of the invention. If the employer does not recognize the patentability of the invention he remains under the obligation to apply for a patent, but he may withdraw the application after a decision on the patentability has been made by the Patent Office.

"(b) In determining the compensation to be paid for an invention with respect to

which the employer need not apply for a patent under subsection (a), the employee shall receive additional compensation for the fact that no protective right has been granted with respect to the service invention.

"(c) Nothing in this section shall prevent the application of section 432 to a proposal for technical improvement which is utilized by the employer.

"CHAPTER 43.—GENERAL PROVISIONS

"Sec.

"431. Free inventions, notice, duty of making an offer.

"432. Proposals for technical improvement.

"433. Advisor on inventions.

"434. Exclusion of change by agreement.

"435. Secrecy.

"436. Employer-employee relationship.

"437. Arbitration.

"438. Judicial review, exhaustion of remedies.

"439. Secretary of Labor; regulations.

"§ 431. Free inventions; notice; duty of making an offer.

"(a) Unless, in the judgment of the employee, the invention is obviously of no use in the activities of his employer, an employee who has made a free invention during the period of his employment shall promptly give written notice of the invention to his employer containing such information as may be necessary to enable the employer to determine whether or not the invention is free. Unless the employer makes a written declaration to the employee contesting that such invention is free within three months after receiving such notice from the employee, the employer may not claim the invention as a service invention.

"(b) If a free invention comes within the existing or proposed scope of the employer's operations, the employee shall not utilize the invention elsewhere during his period of employment unless he first offers his employer an exclusive option to utilize the invention in exchange for adequate compensation. If the employer does not accept such offer within two months, the employee is free to utilize the invention elsewhere without restriction. If the employer declares within such two months his desire to acquire such exclusive option except for his disagreement as to the terms of compensation, the Arbitration Board shall fix the terms of compensation, upon petition of the employer or employee. The employer or employee may apply to the Board for adjustment of the compensation when the circumstances upon which the determination of compensation have substantially changed.

"§ 432. Proposals for technical improvement.

"An employee who has made a proposal for technical improvement is entitled to adequate compensation for the proposal when the employer utilizes it. Such compensation shall represent the value (in terms of increased profit or reduction in costs for the employer) of the proposal for technical improvement adjusted by the factors referred to in section 414(a) (1) and (2). The kind and amount of compensation shall be determined by agreement between employer and employee within a reasonable period of time prior to the expiration of three months after the date upon which the employer began utilizing the proposal. If agreement is not reached within such period of time, the compensation shall be determined in the same manner as provided by section 414(b) (2). Section 414 (c) and (d) shall apply to proposals for technical improvement in the same manner as to service inventions.

"§ 433. Advisor on Inventions.

"Within the Department of Labor there shall be an Advisor on Inventions appointed by the Secretary of Labor to assist employees in the drafting of their notices under sections 411 and 431 and to assist employers and employees in determining the compensation to be paid for service inventions and proposals for technical improvement.

"§ 434. Exclusion of change by agreement.

"The provisions of this part may not be altered at any time by agreement.

"§ 435. Secrecy.

"(a) An employer may not disclose any employee's invention with respect to which he has received notice long as the legitimate interests of the employee require such nondisclosure.

"(b) Except as otherwise provided by this part an employee may not disclose any service invention which has not become free.

"§ 426. Employer-employee relationship.

"The rights and duties of employer and employee under this part are not affected by the termination of the employment relationship.

"§ 437. Arbitration.

"(a) There shall be an Arbitration Board in the Patent Office which shall meet at the Patent Office and at such other locations as may be necessary and which shall attempt to bring about amicable agreement in any dispute relating to this part which is referred to the Board by an employer or employee. The Board shall be composed of a chairman and two associates. The chairman shall be appointed from the examiners-in-chief of the Patent Office by the Commissioner of Patents to serve for one year, and the two associates shall be appointed for each case by the Commissioner of Patents, or by an assistant commissioner, from the officers and employees of the Patent Office with expertise in the general field to which the invention or proposal for technical improvement relates. The Board shall be enlarged by two members upon the petition of the employee or employer, one such additional member to be selected by the employee from a labor or professional group of his choosing and one selected by the employer from the national or regional organization which represents the employer's interests.

"(b) An employer or employee may petition the Arbitration Board to settle a dispute by filing with the Board two copies of a petition containing a brief description of the circumstances of the case and the name and address of the other party. The Arbitration Board shall send the petition to the other party with a request that such party express its opinion in writing with respect to the petition within a designated period of time.

"(c) Except as otherwise provided in this section, proceedings before the Arbitration Board shall be conducted according to such rules and regulations as the Commissioner of Patents may determine.

"(d) (1) When the Arbitration Board has reached a decision by majority vote, it shall serve on the parties (by registered or certified mail) a proposal for conciliation which is substantiated by reasons and signed by all concurring members of the Board. The proposal shall contain a statement of the parties' right to object and of the consequences of a failure to object or request an extension of time within the sixty-day period referred to in paragraph (2).

"(2) The proposal for conciliation shall be deemed accepted by both parties unless the Board receives a written objection or request for extension of time from one of the parties within sixty days after the date upon which the proposal was served on such party. The Board may grant an extension of time for a designated period not to exceed ninety days when the circumstances require such an extension. In the case of an extension of time, the proposal for conciliation shall be deemed accepted by both parties unless the Board receives a written objection from one of the parties within the designated period.

"(3) The Arbitration Board shall terminate its proceedings and notify the parties of such termination in any case in which—

"(A) a party has not responded to a request under subsection (b) within the designated period of time;

"(B) a party has refused to enter proceedings before the Board; or

"(C) a party files a written objection to a proposal for conciliation under paragraph (2).

"(e) No fees or costs shall be charged against any party to proceedings before the Arbitration Board.

"§ 438. Judicial review; exhaustion of remedies.

"Suit may be brought in a United States district court in any case arising under this part (including a suit for the determination of adequate compensation) only after a proceeding before the Arbitration Board has taken place except that suit may be brought without regard to such proceeding when—

"(1) six months have passed since the petition was filed with the Board; or

"(2) the suit is for attachment or injunction.

"§ 439. Secretary of Labor; regulations.

"After affording all interested persons the opportunity to make their views known, the Secretary of Labor shall issue regulations under sections 414 and 432 providing specific rules for the determination of the compensation to be paid for service inventions and proposals for technical improvement. These regulations shall be published for the guidance of employers and employees, the Advisor on Inventions, the Arbitration Board, and the courts."

Sec. 2. (a) Section 281 of title 35, United States Code, is amended to read as follows:

"§ 281. Remedies.

"A patentee shall have remedy by civil action for infringement of his patent and any person damaged by a violation of his rights secured by part IV of this title shall also have remedy by civil action."

(b) Section 283 of title 35, United States Code, is amended by inserting immediately after "patent" the following: "or any right secured by part IV of this title".

(c) Section 284 of title 35, United States Code, is amended as follows:

(1) In the first sentence immediately after "Upon finding for the claimant" insert the following: "in an action for infringement".

(2) At the end thereof insert the following new paragraph:

"In an action arising out of the violation of rights secured by part IV of title 35, the court shall award the claimant damages adequate to compensate for the violation."

(d) Section 286 of title 35, United States Code, is amended by adding at the end thereof the following new paragraph:

"No recovery shall be had for any violation of rights secured by part IV of this title committed more than six years prior to the filing of the complaint or counterclaim in the action."

(e) The table of sections for chapter 29 of title 35, United States Code, is amended by striking out the item relating to section 281 and inserting in lieu thereof the following: "281. Remedies".

Sec. 3. Section 1338 of title 28 is amended by adding at the end thereof the following:

"(c) The district courts shall have original jurisdiction exclusive of the courts of the States of any civil action arising under part IV of title 35, United States Code, relating to inventions and proposals for technical improvement."

Sec. 4. (a) The provisions of sections 1 and 2 of this Act apply to any invention or proposal for technical improvement made at any time six months or more after the date of enactment of this Act.

(b) In the case of a patent application filed at any time after the date of enactment of this Act by the employer of the person who made the invention, the Commissioner of Patents shall notify such employer of the provisions of this Act by making available to such employer a copy of the Act.

FOURTH ANNIVERSARY OF CUBAN EXILES' DECLARATION OF FREEDOM

(Mr. FASCELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FASCELL. Mr. Speaker, January 23, 1966, is a date recorded in the contemporary history of the noble Cuban people. On that day, in Key West, Fla., 1,500 Cubans met to proclaim their faith in the principles of freedom and justice for the Cuban people.

Numerous Cuban exile organizations as well as prominent Cuban leaders of the fight against Castro's communism, went to Key West to endorse, with their signature, the "Declaration of Freedom."

Among the leaders participating was Gen. Generoso Campos Marquetti, leader of the Cuban independence war.

With the declaration, Cubans were trying to follow the formula for freedom of Jose Marti, the great Cuban patriot:

When a country is called to war, it must know towards what it is going, where it is going, and what is to follow.

Therefore, the basic principles were set down in Key West and they included: dedication to God, country, and family; the respect of human rights, the law, and private property; the freedom of learning, religion, expression, and free enterprise; the appropriate balance between capital and work; and the eradication of any kind of totalitarianism in the future's new Cuba.

After the signing of the declaration, reunions—or "tertulias"—were held in the homes of Cubans living in south Florida to explain its ideological significance and its principles. More than 50 such reunions were held, and the declaration was forwarded around the country—to New Jersey, New York, Chicago, Washington, and throughout Florida. Only several months ago 25,000 copies of the declaration were distributed in Cuba.

The Declaration of Freedom represents the unity of purpose of all Cuban exiles—their dedication to freedom and their united efforts for the liberation of Cuba. Many Cubans are carrying on the task. And the Declaration of Freedom conceived by one of the most dedicated leaders, Monolo Reyes, has a tremendous universal support. Because Cubans realize its purpose it is not to make a leader, but to make Cuba free. It is not surprising to learn, therefore, that the only attack on this great document of principle has come from the Castro regime through Red Radio Havana.

Mr. Speaker, tomorrow is the fourth anniversary of the signing of this important document, and I would like again to bring the Declaration of Freedom to the attention of our colleagues:

DECLARATION OF FREEDOM

In the City of Key West, Monroe County, State of Florida, United States of America, we, the Cuban exiles in the United States, in the name of God Almighty, and speaking both for ourselves and the oppressed people in Cuba, the Martyr Island, do say:

That on January 1st, 1959, the slavery yoke that came from Europe and was extinguished in Cuba at the end of the 19th century, was resumed.

That those responsible for this high treason to our Fatherland and to our People are just a score of traitors who, usurping the Government of the Country have been acting as mercenary agents for the Sino-Soviet imperialism, and have surrendered to that imperialism our Freedom and our Dignity, also betraying the American Hemisphere.

That as a consequence of this high treason, those who are usurping the Power in Cuba (as they were never elected by the People), are imposing a regime of bloodshed, terror and hate without any respect or consideration to the dignity of the human being or the most elementary human rights.

That in their hunger for Power, these traitors, following the patterns of totalitarian regimes, are trying, within Cuba, to separate the Family, which is the cornerstone of actual society, and at the same time, are poisoning the minds of the Cuban children and youth, in their hope of extending the length of time for this abominable system.

That the rule of the Law has been wiped out in Cuba, and it has been replaced by the evil will of this score of traitors, who are acting under orders from their masters, the Sino-Soviet Imperialists.

In view of the foregoing, we declare

First: That the actual Cuban regime is guilty of high treason to our Fatherland and to the ideals of the Freedom Revolution which was started on October 10th, 1868.

Second: That this score of traitors who have committed treason against our Fatherland, in case they survive the downfall of their regime, will have to respond, even with their lives before the Ordinary Courts of Justice of Cuba.

Third: That as the Noble Cuban People will not ever surrender, because that Nation was not born to be slave, we, the Cuban People, hereby make the present Declaration of Freedom.

We hereby swear before God Almighty to fight constantly, until death comes to us, to free Cuba from communism.

The fundamentals of this Revolution for Freedom are:

First: God Almighty, above all things, in Whom we believe as the essence of Life.

Second: The Fatherland, with all of its Laws, traditions, customs and history as a spiritual value, only surpassed by the concept of God.

Third: The Family, as the cornerstone of the Human Society.

Fourth: Human Rights, for each and every citizen, regardless of race or creed.

Fifth: The Law, as the foundation for the proper development of the Human Society.

Sixth: Democratic Government, with its three independent branches: Legislative, Executive and Judicial.

Seventh: Representative Democracy, through the exercise of Universal Suffrage, Periodically, Free and Secretive, as the expression of Popular Sovereignty.

Eighth: Freedom of Worship, Freedom of Teaching, Freedom of the Press and Free Enterprise.

Ninth: Private Property and Ownership, as the basic expression of Liberty.

Tenth: The improvement of living conditions for both rural and city working masses, with the just and necessary measures, keeping in mind the legitimate interests of both Labor and Capital.

Eleventh: The derogation and eradication of anything which is opposed to the political and religious fundamentals aforementioned, and specifically, the abolition of Communism and any other form of totalitarian manifestation.

Signed and sealed in Key West, Florida, on the 23rd day of January, 1966.

DAVID STOPPELWERTH IS DEAD

(Mr. SNYDER asked and was given permission to address the House for 1

minute, to revise and extend his remarks, and to include extraneous material.)

Mr. SNYDER. Mr. Speaker, David Stoppelwerth is dead.

For most members of the House of Representatives this event does not register; but for me, Mr. Speaker, I rise to pay tribute to my friend.

I remember well first meeting David in the spring of 1966. I was engaged in a primary election campaign for Congress and the odds were heavily against my nomination.

Virtually every political power in the Commonwealth of Kentucky opposed my candidacy. So far as I knew every member of the Kenton County Young Republicans supported my opponent. You can imagine the surprise, then, when the official publication of the Kenton County Young Republicans carried an official endorsement of my candidacy by the entire editorial staff. The turmoil was great. It turned out that the "editorial staff" was none other than David H. Stoppelwerth. Of course, he was taken to task by his associates on the front page of the local daily newspaper.

Dave was the editor and his courage then in standing against what appeared to be insurmountable odds was characteristic of this young man whom I grew to know and admire. We stood together in that campaign—and together we won. His was not a popular cause with his associates, but he stuck with his principles and his convictions.

Then, as in the life of most young men, it came time to serve his country. David wrote me regularly—from Ft. Lewis, Wash., to Vietnam. In every letter, Dave's prime concern was that he make a valuable contribution to his country and that he do his new job well.

And so he fought in Vietnam. Again, the cause was unpopular with many of his young associates; but consistent with his patriotic beliefs, he went to stand with his country. He and his country stood together on the battlefield and on Sunday, January 18, 1970, he and his country suffered a tragic loss. David lost his life and the Nation lost one of the strongest, bravest, and finest young men I have ever known.

To his friends and family I extend my sincere sympathy; but more than that, I join them in knowing that their lives and my life are much richer for having known Dave Stoppelwerth as he passed this way.

THE RESULT OF A JUDICIAL NUMBERS GAME

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

Mr. EDWARDS of Alabama. Mr. Speaker, I would like to bring to the attention of this body the name of Ray York, a 14-year-old boy from Oklahoma City. This boy is guilty of that insidious crime of going to school. Five days a week he goes to Taft Junior High School which until August 13 was his school. Now the courts say he must go to another some

six additional blocks away from his home.

Why, you may ask? Well, it seems the integration figures of the two schools were not just right. They were not quite the same as the ratio of the community at large. So for the sake of a judicial numbers game Ray York must be bused to a new school.

But Ray York, backed up by his mother, refused to be the victim of this game of statistical roulette. So now the judge has ordered the Federal marshals to arrest Ray when he shows up for classes at Taft Junior High, cart him off from the schoolgrounds and hold him in custody during school hours.

Well, it is really great to see the Federal marshals cracking down on these criminals. Let us lock up all these schoolchildren who cannot afford the time or money to be bused across towns to please the ivory-towered Federal judges. And if that does not stop them let us order the school officials to take away their books and stop giving them grades. That will prevent them from getting these illegal educations.

Mr. Speaker, I think it is quite clear that this whole business of busing children and juggling figures has gone a bit too far. The original Supreme Court order was aimed at providing a quality education for all children, regardless of race, creed, or color. "Place of attendance" was not mentioned in the Court's mandate.

This is the typical end result of the efforts of social engineers who just do not really seem to care about education.

I hope that better minds will prevail soon, for the only outcome of this ridiculous action by the courts is complete collapse of our public school system.

McGOVERN'S "BABY BONUS" PLAN

(Mr. ANDERSON of Illinois asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. ANDERSON of Illinois. Mr. Speaker, I was rather disturbed to read in yesterday morning's New York Times that the distinguished junior Senator from South Dakota (Mr. McGovern) has proposed a \$35 billion baby bonus plan as an alternative to President Nixon's family assistance program. According to the article, every family in America would receive a \$50 to \$65 monthly allowance per child. It seems to me that such a program would not only discourage responsible family planning, but would further exacerbate the problems of population and the environment, not to mention fiscal policy and national security.

At a time when the experts are warning against the impending population explosion, it is rather ironic that a Democrat would be running around lighting the fuses. The McGovern "baby bonus" would replace the President's "work incentives" with "birth incentives." This is a highly irresponsible alternative to the administration's family assistance plan.

Senator McGovern is obviously trying to disprove the adage that, "you can't fool all of the people all of the time." But the American people are not that easily

fooled; they will recognize that the McGovern "baby bonus" is nothing more than a political bogus designed to capture votes rather than solve problems.

When Secretary Finch of HEW chided the Democrats for their obvious lack of interest in welfare reform, which has bordered on a conspiracy of silence, and their failure to suggest any alternative to the current bankrupt system, I never dreamed that the result would be so ill-conceived and irresponsible. The responsible debate on the merits of the President's family assistance plan will not be furthered by proposals such as this one. Let us hope that the Democratic national chairman, who has said he plans to announce his own welfare plan, will not try to play "Can You Top This" with Senator McGovern.

At a time when the Nation faces its most severe inflationary crisis since the Korean war period, it is almost inconceivable that anyone could be advocating additional programs costing \$10 billion in the first year and \$35 billion in 1976. After participating in Senate actions that have reduced revenue available to the Federal Government, Senator McGovern is now proposing huge additional expenditures which would fall into that so-called uncontrollable category, whose costs we have found so difficult to accurately predict.

The national security implications of Senator McGovern's proposal are irresponsible and frightening. To finance his program, Senator McGovern would cut the defense budget by \$50 billion. Secretary Laird has already announced additional defense cuts which will bring the Nixon administration's defense spending \$10 billion below the Johnson administration projections for fiscal year 1971. This is responsible budget cutting that will not endanger our national security. But the \$50 billion cut Senator McGovern is reported to be advocating would not even enable the Department of Defense to meet the past commitments made during the Kennedy and Johnson administrations.

Mr. Speaker, I am on record in favor of cutting the defense budget and re-ordering our national priorities. But responsible budget trimming is one thing; dismantling the Defense Department is quite another. And that is just what we would have to do if we cut defense funds by \$50 billion to finance the McGovern "baby bonus."

Let me elaborate on the implications of the \$50 billion defense spending cut Senator McGovern is reported by the New York Times to have advocated to finance his welfare plan. Of the current \$77 billion of defense spending, \$17 billion is absolutely fixed and cannot be reduced. Of that \$17 billion, \$14.5 billion is required to pay obligations incurred in past years, primarily during the Kennedy and Johnson administrations. I would assume that the Senator from South Dakota would not want the Government to default on those obligations. An additional \$2.5 billion is required to pay retirement benefits of the military. Can the Senator be advocating a reduction in those benefits?

That leaves \$60 billion which might

theoretically be cut from the defense budget. The McGovern objective, remember, is a \$50 billion reduction. If all personnel expenditures of the Department of Defense were eliminated, expenditures could be cut \$40 billion. Such a cut would necessitate the closing of military installations, military hospitals, stranding 470,000 American men in Vietnam, and making instant civilians of other servicemen around the globe. Even after having done all this, the South Dakota Senator would have to find an additional area in which to cut the defense budget by \$10 billion.

Mr. Speaker, I believe this welfare plan and its budgetary implications can only be viewed as an absurdity and I am certain that the American people will so view it.

At this point in the RECORD I include the New York Times article of yesterday which reports on this bizarre proposal. The article follows:

McGOVERN OFFERS PLAN ON POVERTY: SEEKS U.S. GRANT OF \$50 A MONTH FOR EACH CHILD

(By Deirdre Carmody)

Senator George S. McGovern proposed last night that the Federal Government give parents an allowance of \$50 to \$65 a month for each child in an attempt to eliminate poverty.

The allowance would be given to every child in the country regardless of the family's income level.

In a speech prepared for delivery at the 25th anniversary dinner of the Citizens' Committee for Children at the Biltmore Hotel, the South Dakota Democrat criticized President Nixon's welfare reform proposals and outlined his own program, which he said he would submit to Congress early this year.

Mr. McGovern, who is chairman of the Select Senate Committee on Nutrition and Human Needs, is the first Democrat to present a major alternative program. Last week, Robert H. Finch, Secretary of Health, Education and Welfare, criticized liberal Democrats for their silence.

At a news conference preceding the dinner, Mr. McGovern was asked if his program was a distant trumpet heralding his entry into the 1972 Presidential race. He replied:

"I don't want it to be a distant trumpet. I would hope that it will be a contribution to a genuine national debate that will bring results in 1970."

Mr. McGovern's main criticism of the President's Family Assistance Program to provide aid for 10 million of the working poor is that, he said, it perpetuates poverty by isolating poor people and treating them as a group separate from the rest of the nation.

As part of his program, the Senator also proposed a guaranteed job with a decent wage for every able-bodied citizen of working age, improved Social Security benefits and a small federally administered public assistance plan for the few who would remain in need of additional income.

He estimated that the cost for a children's allowance would be \$10-billion the first year. The cost for the full program would come to \$35 billion a year by 1976.

The Senator, a dove on the Vietnam war issue, has already suggested that the present war budget of \$80-billion could be cut by \$50-billion without endangering national security.

Mr. Nixon's welfare proposals, which are now before the House Ways and Means Committee, are estimated to cost \$4.2-billion above the \$4-billion cost of the present welfare program.

Mr. McGovern had some words of praise

for the President's program. He said that it would lead to a fully federalized guaranteed income plan that would dispense a uniform national payment "generous enough to lift every family out of poverty within a very few years." He said that he would support amendments along these lines.

The United States is the only major industrial nation in the world that does not have a children's allowance program. Nearly all European countries, most Latin American countries and most of the French-speaking countries of Africa have such a program.

The possibility of such a program in this country has been studied by various welfare experts. The Citizens' Committee for Children has long been promoting the system. Another supporter is Daniel Patrick Moynihan, the President's adviser on urban affairs.

Mr. McGovern's program would work this way: If every child received \$50 a month, a family of four whose head earned only \$2,400 would receive \$1,200 a year more from the children's allowance.

For a welfare family headed by a woman with five children, the allowance would mean at least \$3,000 a year. If she worked, she would be allowed to keep her entire income.

Under Mr. Nixon's proposal, an employed family with marginal earnings would keep the first \$720. For every dollar earned above that, the minimum Federal payment of \$1,600 a year would be reduced by 50 cents. Therefore, a family earning \$2,000 would receive \$960 in Federal funds.

ALLOWANCE SCHEDULE

Under Mr. McGovern's plan, the present \$600 tax exemption for each child (soon to be raised to \$750) would be eliminated. The children's allowance would be taxed. However, not until a family's income was well over \$25,000 would the benefits of the allowance be canceled out by the loss of the existing income tax exemption, which it would replace.

The details have not been completely worked out, but Mr. McGovern presented this tentative schedule for a family with one child:

A family with an income of \$3,600 a year (which would be tax free) would receive \$600 more annually. A family with an income of \$4,000 to \$6,000 would receive benefits of \$420; with an income of \$10,000 to \$15,000, benefits of \$360; with an income of \$20,000, benefits of \$300; with an income of more than \$45,000, there would be no benefit.

"Yet—though not a poverty program—the Children's Allowance would prevent a great deal of poverty simply because so many children are poor," Mr. McGovern said. "It would in fact, very nearly wipe out poverty among most families with children. It would also provide a critical boost in the incomes of those young middle American families of whom I have spoken."

WORLD ENVIRONMENTAL LEGAL AND RESEARCH CENTER ESTABLISHED

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

Mr. WRIGHT. Mr. Speaker, major good news was announced Tuesday by the National Pollution Control Foundation, a nationwide organization with principal offices at 866 United Nations Plaza in New York.

This private group, which seeks to enlist the support of industry and individual citizens in providing useful and effective support for the Nation's battle against environmental pollution, announced the establishment of a World

Environmental Legal Data Bank and Research Center.

The foundation already has enlisted the law professors from some 35 universities and the American Bar Association in the program to create a computerized data center at Pittsburgh, where information concerning all State and Federal laws relating to all forms of pollution, including abatement ordinances in American cities and towns, will be available to lawmakers, businesses, and private citizens.

This data bank already has begun operation under the direction of Dr. John Harty, president of Aspen Systems Corp., and has been hailed by Dr. Richard A. Prindle, Assistant Surgeon General of the United States.

Additionally, a worldwide research center will be established at the University of Texas Law School in Austin under the direction of Dean Page Keeton. Many American law schools, as well as the University of Toronto in Canada, are cooperating in this endeavor, and several years of legal data research in Europe will be incorporated in the data bank.

This announcement was made in Washington by Edgar Shelton, Jr., a long-time personal friend and former classmate of mine from the University of Texas. Along with Max N. Edwards, former Assistant Secretary of Interior for Water Quality and Research, who will coordinate these endeavors and issue a monthly environmental law report, Mr. Shelton has been working for some months in helping to organize this major undertaking.

It provides for all of us, I think, a heartening assurance of the growing interest and dedication in both the academic community and the business community toward the massive effort which all of us recognize as commanding the first priority—the necessity to reverse the deadly poisoning of the human environment in this country.

CUBAN DECLARATION OF FREEDOM

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, on January 23, 1969, I introduced House Joint Resolution 294 commending the Cuban Declaration of Freedom adopted on January 23, 1966, by 1,500 Cubans in exile meeting in Key West, Fla.

This noble Declaration of Freedom is intended to be an embodiment of the principles of liberty, freedom, and democracy which shall be the principles to govern the great Republic of Cuba when Castroism and all the foul roots of communism have been wiped out of that beautiful Isle of the Caribbean, and liberty, freedom, and democracy shall again be established in that ancient and noble land.

A government espousing these lofty principles is a government which will be a worthy member with the United States of the constellation of free and independent states.

I congratulate all of the eloquent authors of this Declaration, reminding of

the eloquence of Thomas Jefferson in the drafting of our own Declaration of Independence.

I commend these principles to all who seek the restoration of a free government in Cuba. I commend these eternal principles to the executive branch of our Government, to the Congress, and to our fellow countrymen.

Let us together determine that we shall hasten the day when a government dedicated to these immortal principles shall again govern the great people and the lovely Isle of Cuba.

Mr. Speaker, I include my resolution—House Joint Resolution 294—in the Record:

H.J. RES. 294

Joint resolution commending the Cuban "Declaration of Freedom"

Whereas on January 23, 1966, a "Declaration of Freedom" was adopted by one thousand five hundred Cubans in exile meeting in Key West, Florida; and

Whereas this declaration was written at the San Carlos Club from which the great Cuban patriot, Jose Marti in 1898, turned the course of history by proclaiming the ideological basis of a free Cuba; and

Whereas Cuba once again has fallen victim to a totalitarian regime as embodied by Castro communism; and

Whereas the "Declaration of Freedom" reads as follows:

"In the city of Key West, Monroe County, State of Florida, United States of America, we, the Cuban exiles in the United States, in the name of God Almighty, and speaking both for ourselves and the oppressed people in Cuba, the martyr island, do say:

"That on January 1, 1959, the slavery yoke that came from Europe and was extinguished in Cuba at the end of the nineteenth century, was resumed.

"That those responsible for this high treason to our fatherland and to our people are just a score of traitors who, usurping the government of the country have been acting as mercenary agents for the Sino-Soviet imperialism, and have surrendered to that imperialism our freedom and our dignity, also betraying the American hemisphere.

"That as a consequence of this high treason, those who are usurping the power in Cuba (as they were never elected by the people), are imposing a regime of bloodshed, terror and hate without any respect or consideration to the dignity of the human being of the most elementary human rights.

"That in their hunger for power, these traitors, following the pattern of totalitarian regimes, are trying, within Cuba, to separate the family, which is the cornerstone of actual society, and at the same time, are poisoning the minds of the Cuban children and youth, in their hope of extending the length of time for this abominable system.

"That the rule of the law has been wiped out in Cuba, and it has been replaced by the evil will of this score of traitors, who are acting under orders from their masters, the Sino-Soviet imperialists.

"In view of the foregoing, we declare: "First. That the actual Cuban regime is guilty of high treason to our fatherland and to the ideals of the freedom revolution which was started on October 10, 1898.

"Second. That this score of traitors who have committed treason against our fatherland, in case they survive the downfall of their regime, will have to respond, even with their lives before the ordinary courts of justice of Cuba.

"Third. That as the noble Cuban people will not ever surrender, because that nation was not born to be slave, we, the Cuban people, hereby make the present declaration of freedom.

"We hereby swear before God Almighty to

fight constantly, until death comes to us, to free Cuba from communism.

"The fundamentals of this resolution for freedom are:

"First. God Almighty, above all things, in whom we believe as the essence of life.

"Second. The fatherland, with all of its laws, traditions, customs, and history as a spiritual value, only surpassed by the concept of God.

"Third. The family, as the cornerstone of the human society.

"Fourth. Human rights, for each and every citizen, regardless of race or creed.

"Fifth. The law, as the foundation for the proper development of the human society.

"Sixth. Democratic government, with its three independent branches: Legislative, executive, and judicial.

"Seventh. Representative democracy, through the exercise of universal suffrage, periodically, free, and secretive, as the expression of popular sovereignty.

"Eighth. Freedom of worship, freedom of teaching, freedom of the press and free enterprise.

"Ninth. Private property and ownership, as the basic expression of liberty.

"Tenth. The improvement of living conditions for both rural and city working masses, with the just and necessary measures, keeping in mind the legitimate interests of both labor and capital.

"Eleventh. The derogation and eradication of anything which is opposed to the political and religious fundamentals aforementioned, and specifically, the abolition of communism and any other form of totalitarian manifestation.

"Signed and sealed in Key West, Fla., on the 23d day of January, 1966."

Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the House of Representatives that this inspiring declaration should be patriotically considered by all Cubans in exile and by all who wish to end the tyranny of Castroism and communism in Cuba and that the "Declaration of Freedom" should serve to unite those pledged to restoring Cuban liberty and independence, and that it should be the objective of the United States to commend and encourage recognition and respect for the declaration.

THE MIDDLE EAST

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, yesterday I introduced a resolution cosponsored by 46 of our colleagues which called on the Nixon administration to abandon and reverse its month-old policy for seeking peace in the Middle East through indirect, rather than face-to-face negotiations between the principals—Israel and the Arab States.

It is my firm belief and the belief of many Americans that the only way to secure an end to hostilities and begin mapping a strategy for peace is through direct, face-to-face negotiations between Israel and the Arab States.

Today I am reintroducing this resolution with the support of additional Members. I am very pleased to be joined in this resolution by Mr. MADDEN, Mr. DELANEY, Mr. MOORHEAD, Mr. KYROS, Mr. SISK, Mr. ADDABO, Mr. ST. ONGE, Mr. GIAMMO, and Mr. CHARLES H. WILSON. I am taking this occasion to invite our other colleagues who share the expressions of this resolution to join the 55

initial sponsors of this vital statement for peace.

THE FICKLE FRENCH

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

Mr. BRINKLEY. Mr. Speaker, in 1955, as an Air Force pilot, I flew in to Wheelus Field in Tripoli, Libya, North Africa. I wrote home that it was "the Florida to the south" of Rhein-Main Air Force Base where I was TDY to a NATO assignment.

The people there were not our friends. They are not today.

En route over the ocean called the Mediterranean Sea we monitored Jerusalem Airways. Israel was our friend then. It is our friend today.

France recently refused delivery of 50 Mirage jets which Israel had bought and paid for. France today sells 100 of these sophisticated jet fighters to revolutionary Libya.

What say we on a balanced approach? What shall we urge upon our Secretary of State?

As for me, I say let us recognize that our self-interest lies with Israel. We should no more be neutral than Russia is neutral.

The very term, "negotiation," implies the having of some room to give. Thus, in order that the final agreement between Israel and her hostile neighbors be just, the first proposals certainly should incorporate every item favorable to Israel.

So that those negotiations may be fruitful, the United States must guarantee that Israel bargain from a secure position, uneroded by the fickle French.

LEGISLATIVE PROGRAM FOR WEEK OF JANUARY 26

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

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

Mr. GERALD R. FORD. I yield to the distinguished gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, we have no further program for this week, but the program for next week is as follows:

Monday is District Day, but there are no District bills.

On Monday we expect to have consideration of the so-called Nelson amendment to H.R. 13111, the Department of Labor and Department of Health, Education, and Welfare appropriation bill, fiscal year 1970.

On Tuesday we will consider H.R. 860, to provide employer contributions for joint industry promotion of products, under an open rule with 1 hour of debate.

On Wednesday we will have H.R. 13111, the Department of Labor and Department of Health, Education, and Welfare appropriation bill, fiscal year 1970, for consideration of a possible veto message. Of course, this is subject to change, but I have been advised this morning that will probably be back for action by the House on Wednesday.

For Thursday and the balance of the week, we will have H.R. 14864, the Defense Facilities and Industrial Security Act of 1970, under an open rule with 2 hours of debate.

This announcement is made subject to the usual reservations that conference reports may be brought up at any time and any further program may be announced later.

Mr. Speaker, will the gentleman yield further so that I may make a statement?

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

Mr. ALBERT. Mr. Speaker, I would also like to advise Members that after consulting with the distinguished minority leader it has been decided that the Lincoln Day recess will be from the close of business on Tuesday, February 10, until Monday, February 16.

Mr. GERALD R. FORD. Mr. Speaker, would the gentleman from Oklahoma clarify the latter statement? We would go into recess from close of business on Tuesday, February 10, and we would resume business on Monday, February 16?

Mr. ALBERT. Mr. Speaker, the gentleman is correct.

PARLIAMENTARY INQUIRIES

Mr. GERALD R. FORD. Mr. Speaker, a parliamentary inquiry. In the consideration of the Nelson amendment, which was an amendment in disagreement, when it comes back, will there be 1 hour of debate in the control of the chairman of the committee or the chairman of the subcommittee?

The SPEAKER. The Chair will state in response to the parliamentary inquiry that any Member who makes the motion will be entitled to 1 hour, and the question of the allocation of time will be in his discretion.

Mr. GERALD R. FORD. One further parliamentary inquiry, Mr. Speaker. The consideration of a veto message and the action of the President in vetoing means we have 1 hour of debate during the consideration of that?

The SPEAKER. The same response would be that whoever makes the motion would be entitled to be recognized for 1 hour, and if he so desires, he can use any portion thereof he desires to use.

Mr. GERALD R. FORD. I thank the Speaker.

ADJOURNMENT OVER TO MONDAY, JANUARY 26

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

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

There was no objection.

DISPENSING WITH BUSINESS IN ORDER UNDER THE CALENDAR WEDNESDAY RULE ON WEDNESDAY NEXT

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

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

There was no objection.

U.S. POLICY IN THE MIDDLE EAST

(Mr. FASCELL asked and was given permission to extend his remarks at this point in the RECORD and to include the text of a resolution.)

Mr. FASCELL. Mr. Speaker, the situation in the Middle East today is the worst it has been since the June 1967 war, and it is deteriorating every minute. In my judgment, the grave crisis there threatens the peace and security of the world.

As a member of the House Foreign Affairs Committee I have repeatedly urged the administration, through the State Department, to exert its leadership to bring about a peaceful solution in the Middle East. It is my strong belief that there can be no imposed settlement; rather, the United States must be prepared to exert its influence in order to bring about face-to-face negotiations between Israel and the Arab States. Further, we must recognize that Israel should not be required to give up a single inch of territory as a precondition to negotiations.

With these facts in mind, I have today introduced a resolution calling on the United States to exert its influence and efforts in order to promote such face-to-face negotiations between the State of Israel and the Arab States with no preconditions. We must work in this direction if we are to achieve a meaningful and lasting peace in the Middle East.

However, in order for such negotiations to be meaningful, consideration should be given to Israel's right to exist as a nation and respect its territorial integrity; guarantee freedom of navigation by Israel and all other nations through the Suez Canal and the Straits of Tiran; a permanent settlement of the border issues, including those which relate to the status of the Gaza Strip and Jerusalem; and the principle of the peaceful settlement of all other disputes within the Middle East area.

Mr. Speaker, a stable and durable peace in the Middle East is essential to the foreign policy interest of the United States and to the common interest of all nations in furthering world peace. May I again urge that the United States make every effort in this direction. The text of House Concurrent Resolution 481 follows:

H. CON. RES 481

Whereas the grave crisis in the Middle East threatens the peace and security of the world: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the policy of the United States for the promotion of peace in the Middle East should be to exert its influence and efforts in order to promote direct face-to-face negotiations between the State of Israel and the Arab States without any preconditions.

THE LATE FRANCIS M. LEMAY

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

Mr. POAGE. Mr. Speaker, I ask unanimous consent to include in the RECORD a resolution adopted unanimously today by the Committee on Agriculture.

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

There was no objection.

The resolution is as follows:

COMMITTEE RESOLUTION IN MEMORIAL OF
FRANCIS M. LEMAY

Whereas this committee was saddened by the untimely death of Francis M. LeMay; and

Whereas Mr. LeMay in his capacity as a distinguished journalist earned the respect and admiration of his colleagues and the Congress; and

Whereas Mr. LeMay was for a period of fourteen years a member of the professional staff of this committee following his service as the first coordinator of information in the House of Representatives; and

Whereas Mr. LeMay served both the House and this committee with great honor and distinction: Therefore, be it

Resolved, That this the Committee on Agriculture of the United States House of Representatives does hereby express to Mrs. Jeanette LeMay our most sincere condolences and sympathy for the passing of our friend, Francis M. LeMay.

Adopted unanimously January 22, 1970.

THE TRUE STATE OF THE UNION

(Mr. RARICK asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RARICK. Mr. Speaker, most Americans awaited the state of the Union message with the sincere hope that it would contain the dynamic expression of leadership for which the "silent majority" have long been ready. Unfortunately, the carefully prepared and rhetorical presentation is unrealistic in its approach to the manifest problems of 1970 and unbelievably naive in its proposed solutions. The message will look well written in the archives, but it is obviously what lawyers know as a self-serving declaration, totally devoid of credibility.

The President properly recognized the need to restore to the people the powers which have been usurped and amassed in Washington. He gave lip service to a desire to do so. Then he totally ignored the most damaging current abuse, one which he himself could end immediately if he wished, and gave forth with the same discredited "more Federal money" solution to the other most pressing domestic problem.

The emergency ignored is the educational crisis in the South—and impending in the cities of the rest of the land. Parents who believed his campaign promises had been looking to him for help in the school problems created by the Federal bureaucracy—and I am not talking about the totally phony liberal bogeyman of the so-called southern strategy.

All the President need do to end this crisis is live up to his oath of office by instructing his own appointees, Secretary Finch and Attorney General Mitchell to obey the laws enacted by the Congress.

It has now become all too apparent to the American people that the whole stream of Supreme Court decisions, and their shameful progeny from the lower

courts, have been only political decrees—finding no basis whatsoever in either the Constitution, the law, or reputable jurisprudence. Propaganda has trumpeted continually about "the law of the land" to give the mask and dignity of lawful acts to total lawlessness.

Americans are not too stupid to notice that while the Supreme Court declared that the Constitution prohibited the school assignment of pupils to one school or another merely because of their race in 1954, the same Constitution requires such an assignment in 1970, although it has not been amended.

Americans are not too stupid to notice that Congress, in the Civil Rights Act of 1964, prohibited pupil assignment and busing for the purpose of bringing about racial balance, but that the President, the Department of Health, Education, and Welfare, and the Attorney General, protected by the courts, have deliberately and wilfully violated the law.

Americans are intelligent enough to realize that the law is not the means by which we correct political power plays, especially those which have found in the courts the willing tools of lawlessness. Such political wrongs are corrected by political means—at the ballot box.

When the President proposed to make Washington an example to the Nation and to the world for law and order, we were reminded of the similar promise of President Eisenhower to make our Nation's Capital a model and an outstanding example of the good to be accomplished by desegregating the public schools. It certainly has become an example—one to avoid at all costs.

As a direct result of such integration, the public schools of the District are 94.3 percent Negro. The population of the District is nearly 75 percent Negro. These thoroughly mixed schools—from which decent parents of both races have taken their children—are now so frequently the scene of violence, hard drug peddling, marihuana, armed robbery, and forcible rape of teachers and pupils alike, that it has become necessary to employ 500 guards to patrol the corridors and station 75 additional armed police officers in the schools.

Washington itself is a virtual jungle, where new crime records are established weekly. The President was correct when he said that it is unsafe to walk on the streets right at the Capitol after dark. Indeed, only this morning three armed thugs robbed a safe at the Department of Commerce—within sight of the White House—of \$100,000 in cash.

The "more Federal money" solution was advanced as a means of advancing one of the President's major priorities—the return of power now concentrated in Washington back to the people. This laudable objective is immediately compromised by the announcement that Federal assistance to local and State police will be doubled in 1971 over the 1970 figure.

We of the South know all too well—and we warn our fellow Americans elsewhere—that with Federal money come Federal bureaucrats, with Federal aid comes Federal control. Federal money to operate local and State police departments means the centralization of con-

trol over all police will be in the hands of the Washington bureaucrats—the establishment of the very national police force which the Founding Fathers so properly feared and so carefully avoided.

The dimout approach to the problem of the no-win war in Vietnam was sorely disappointing. As long as Americans are exposed to death and injury there, and as long as brave Americans languish in barbaric captivity, this matter must be the No. 1 issue in the Nation.

The President had the ear of the world. He had full access to the thing called "world public opinion" today. He completely failed to take advantage of this unparalleled opportunity to focus attention on the plight of these captive Americans, to demand that the Reds accord them humane treatment and live up to the other provisions of the Geneva Convention and to solicit the support of the other civilized nations of the world in achieving this end.

The President's performance fell far short of the hopes of the great majority of Americans. This disappointment has demonstrated, however, that Republican socialism is no different from Democratic socialism—formal party identity is meaningless—there is not a dime's worth of difference.

Pro-American Congressmen of both parties hold the balance of power—and the American people expect us to recognize this truth and depend on us to accept our responsibility.

FIGHTING CRIME

The SPEAKER. Under a previous order of the House, the gentleman from Texas (Mr. PATMAN) is recognized for 60 minutes.

Mr. PATMAN. Mr. Speaker, January 15, 1970, was Robert Morgenthau's last day in office as U.S. attorney for the southern district of New York. His resignation from this office came only after ill-advised, politically motivated, and unfortunate pressures from the administration. Law enforcement everywhere can only lose when an administration removes a U.S. attorney of such excellent caliber for such mundane reasons.

The House Banking and Currency Committee has obtained a copy of Mr. Morgenthau's biennial report to the U.S. Department of Justice. This report is a more than adequate testimonial of the tremendous service this man has rendered to the Nation. It is a litany of cases ranging from convictions of the "high and mighty" to the exposure of petty gyp artists and the consumer frauds field.

Of particular interest to the House Banking and Currency Committee of course is the all too frequent reference to secret foreign bank accounts by many criminals involved. We can only hope that the administration will not yield to political pressures from the big banks to quash our efforts to produce legislation curbing the use of these secret foreign bank facilities for illegal purposes in the same manner that it yielded to get rid of Mr. Morgenthau.

The report, as could be expected from Mr. Morgenthau, is quite lengthy. Therefore, I am inserting the more pertinent

extracts from it and commend it to the reading of my colleagues who are interested in the real threat that crime poses to our institutions. Should any member want to examine the report in detail, it is available at the House Banking and Currency Committee.

The material referred to follows:

[U.S. Department of Justice, U.S. Attorney, southern district of New York]

EXTRACTS FROM REVISED BIENNIAL REPORT—CRIMINAL DIVISION—JULY 1, 1967 TO DECEMBER 31, 1969

THE LEGAL STAFF

The professional staff of the United States Attorney in this District consists of 74 Assistant United States Attorneys. The Assistants are selected from numerous applicants. The office has consistently hired Assistants of outstanding academic background with valuable prior legal experience in private practice, government service, clerkships to Federal judges, or other legal work.

During the period covered by this report, the Assistants worked a total of 57,732 hours in addition to the regular work week, without additional compensation.

Each Assistant has the responsibility among other duties to recommend the appropriate position for the Government to take regarding pending or prospective litigation to which the United States is a party in this District, to present matters to United States Commissioner, Federal Grand Juries and pre-trial examiners, argue pre-trial motions, interview witnesses, try civil and criminal cases before the United States District Court, brief and argue cases in the United States Court of Appeals for the Second Circuit, and submit material needed by the Solicitor General for handling cases in the Supreme Court of the United States.

The Civil and Criminal Divisions are each headed by a Chief, and have Units in specialized areas of responsibility. The Chief Appellate Attorney is responsible for supervision of all appeals.

U.S. attorney's office, southern district of New York,
Legal Staff

Robert M. Morgenthau, United States Attorney.

Silvio J. Mollo, Chief Assistant.
John S. Allee, Executive Assistant.
Albert J. Gaynor, Executive Assistant.
Peter E. Fleming, Jr., Administrative Assistant.

Paul B. Galvani, Chief Appellate Attorney.
Charles P. Sifton, Chief Appellate Attorney.

Pierre N. Leval, Chief Appellate Attorney.
Michael W. Mitchell, Chief Appellate Attorney.

Criminal Division

Albert J. Gaylor, Chief.
Stephen E. Kaufman, Chief.
John H. Doyle, III, Assistant Chief.
Andrew M. Lawler, Jr., Assistant Chief.
John E. Sprizzo, Assistant Chief.
Michael S. Fawer, Chief, Sp. Proc. Unit.
William M. Tandy, Chief, Narcotics Unit.
Frank M. Tuerkheimer, Chief, Sec. Fraud Unit.

Paul R. Grand, Chief, Sec. Fraud Unit.
Michael F. Armstrong, Chief, Sec. Fraud Unit.

Richard A. Givens, Chief, Consumer Fraud Unit.

Elkan Abramowitz, John H. Adams, Lee A. Albert, John R. Bartels, Jr., Richard Benveniste, James W. Brannigan, Jr., David M. Dorsen, Charles J. Fanning, Thomas J. Fitzpatrick, Harold F. McGuire, Jr., Kevin

J. McInerney, J. Edward Meyer, III, Robert G. Morvillo, Arthur A. Munisteri, Daniel R. Murdock.

William Gilbreth, Jay Gold, Roger Goldberg, William B. Gray, Frederick F. Greenman, Jr., John H. Gross, Stephen L. Hammerman, Roger J. Hawke, Jay S. Horowitz, Hugh C. Humphreys, Sterling Johnson, Jr., Jack Kaplan, John J. Kelleher, Lars I. Kulleseld, Robert L. Latchford, Michael W. Lensure, Terry F. Lenzner, Douglas S. Lieb-hafsky, David A. Luttinger, Andrew J. Maloney, Leonard M. Marks, Maurice M. McDermott.

Gary P. Naftalis, Lawrence W. Newman, John W. Nields, Jr., Otto G. Obermaier, Paul L. Perito, Walter M. Phillips, Jr., John F. Pollard, Peter F. Rient, John R. Robinson, Paul K. Rooney, Jon A. Sale, Ross Sandler, James Schreiber, Edward M. Shaw, Abraham D. Sofaer, John A. Stichter, Daniel J. Sullivan, James T. B. Tripp, Peter L. Truebner, Allan A. Tuttle, Charles B. Updike, Max Wild, Stephen F. Williams, John R. Wing, Peter L. Zimroth, James D. Zirin.

Special Assistant United States Attorney Jack W. Ballen in charge of Criminal Division Clerk's Office.²

Civil Division

Lawrence W. Schilling, Chief.
Laurence Vogel, Chief.
Arthur S. Olick, Chief.
H. Thomas Coghill, Asst. Chief.
Lawrence W. Schilling, Asst. Chief.
Laurence Vogel, Asst. Chief.
Robert E. Kushner, Asst. Chief.
Richard M. Hall, Chief, Civil Tax Unit.
Grant B. Hering, Chief, Civil Tax Unit.
Irwin B. Robins, Chief, Civil Tax Unit.
Michael W. Hess, Asst. Appellate Attorney (Civil).

Alan G. Blumberg, Asst. Appellate Attorney (Civil).

Lawrence W. Schilling, Asst. Appellate Attorney (Civil).

David M. Brodsky, Joseph D. Danas, Peter R. DeFilippi, Samuel M. Eisenstat, Joel A. Forkosch, Susan Freiman, Ezra H. Friedman, Brian J. Gallagher, Simon P. Gourdine, James G. Grellsheimer, Peter A. Herbert.

Patricia M. Hynes, David L. Katsky, Alvin H. Meadow, Alan B. Morrison, David Paget, Yale L. Rosenberg, Richard S. Rudick, Michael C. Silberberg, Martin P. Solomon, Judith N. Stein, Richard S. Toder.

Special Assistant United States Attorney (Immigration and Naturalization): Daniel Riesel, Francis J. Lyons.

CRIMINAL DIVISION

The Criminal Division is responsible for the prosecution of all violations of Federal Criminal laws within the Southern District of New York.

During the period from July 1, 1967 through December 10, 1969, a total of 2219 criminal cases were commenced. During the same period, 2524 cases were closed including 1774 convictions by plea of guilty, 627 convictions after trial and 123 acquittals.

A total of 235 criminal appeals were argued, of which 189 were decided in favor of the Government, 19 were reversed, 4 were decided in different ways as to different defendants or issues, and 23 remain open.

During this period 52 Grand Juries of 23 citizens each including a Foreman, Deputy Foreman and Secretary set in this District and held 1,433 separate sessions to investigate violations of Federal criminal laws. The Grand Jurors not only served the vital functions of voting for or against indictments, but also of investigating patterns of conduct

¹ Returned Dec. 28, 1968.

² Resigned during period July 1, 1967–Dec. 10, 1969.

³ Became Chief, Civ. Div. May 1969.

⁴ Became Chief, Civ. Div. March 1968.

⁵ Became Asst. Chief, Civ. Div. March 1968.

suggesting that crimes may have been committed. The Assistants handling these investigations were aided by the Jurors themselves who, drawing upon their own diversified backgrounds, often suggested critical lines of inquiry.

In view of the pernicious influence of organized crime, intensified efforts have been made to prosecute and investigate cases involving members of known organized criminal syndicates.

We have found that the detection of organized and other criminal activity is increasingly inhibited by the use of banks in foreign countries which refuse to make their records available, and by the growing practice of some domestic banks of failing to keep microfilm records of checks processed. The United States Attorney for this District gave testimony in connection with these problems before the Committee on Banking & Currency of the House of Representatives in 1968 and again in 1969. Despite obstacles posed by foreign bank secrecy laws, we have steadily increased the number of indictments in this area.

In addition, we have found that organized criminal activity flourishes where legitimate competition for a desired commodity is excluded by law. Important successful prosecutions occurred in the areas of narcotics and organized gambling, and also in the areas of stolen securities, securities frauds, and labor racketeering.

Our investigations indicate that organized crime is also active in the fields of "white collar" crime where large amounts can be obtained with less danger of exposure or of severe penalties than in the areas of more traditional types of crime.

The Office mounted a major effort during the period under review in the field of consumer protection through the Consumer Fraud Unit formed in 1968. A majority of the consumer fraud cases were brought under the mail fraud statute.

A significant achievement by this unit was its success in prosecuting process servers who were falsely alleging service of process ("sewer service") and who were responsible for thousands of default judgments entered annually in those courts.

Set forth below is a summary of significant cases that were prosecuted during this period.

A. Prosecutions relating to organized crime

The destructive influence of organized criminal activity is of critical concern to all law enforcement today. Attacking organized crime requires not merely traditional law enforcement techniques, but also painstaking investigations into corruption of public officials, infiltration of syndicate funds into legitimate enterprises and abuses of legal forms to attain illegal ends. Successful prosecutions against many significant figures in organized crime syndicates have been mounted and action has also been taken against operations controlled by organized crime. Some problems, such as the ready availability of foreign banks to U.S. racketeers, may require legislative steps to supplement what can now be done by law enforcement agencies.

1. Bribery and Fraud Involving Government Contracts

During the period covered by this report, a number of successful prosecutions were brought involving the corruption of governmental officials by organized criminal elements.

In *United States v. Corallo, et al.*, involving bribery of a former New York City Water Commissioner, James L. Marcus, to fix a water supply contract, four defendants were convicted of unlawful use of interstate facilities.

Antonio "Tony Ducks" Corallo received a 3-year sentence; Daniel J. Motta, President of Local 350 of the Bakery & Confectionary Workers Union, received a 2-year sentence;

Henry Fried, who controlled construction and other companies doing many millions of dollars of business annually with New York City, received a 2-year sentence; and Marcus received a 15-month sentence. The convictions were affirmed on appeal.

In *United States v. Carmine DeSapio, et al.*, both DeSapio, former New York County Democratic Chairman, and Antonio "Tony Ducks" Corallo, were convicted of use of interstate facilities in connection with the bribery of former Water Commissioner James L. Marcus. In addition, DeSapio was found guilty of conspiring to bribe Marcus and to obstruct interstate commerce by extorting construction contracts and scrap metal from the Consolidated Edison Co. of New York.

2. Labor Racketeering

The evil activities of organized crime in the labor field include (a) obtaining funds from employers through extortion, (b) selling out the interests of employees in exchange for bribes, and (c) embezzlement and misuse of union funds. These practices are inimical to the interests of both employers and employees and of the public.

In *United States v. Jack McCarthy*, the defendant, named by the McClellan Committee as a notorious labor racketeer, was tried and convicted for filing a false union officer report with the Department of Labor. The charge centered around the fact that during the period that McCarthy was supposed to be representing the interests of his union, Local 1430 of the International Brotherhood of Electrical Workers, he was also receiving substantial income from National Consultants Associated, Ltd., a two-man labor consulting firm which represented the interests of management.

In *United States v. Jack Cohen*, the conviction of a former President of Plumber's Union Local 1 for accepting illegal employer payments was affirmed.

In *United States v. DiBrizzi*, the conviction of an International Vice President of the International Longshoremen's Association for embezzlement of union funds was affirmed.

In *United States v. Silverman*, the President of Local 810 of the International Brotherhood of Teamsters was convicted on 16 counts of an indictment charging the defendant with the illegal use of union funds in a political campaign and with misappropriation of union funds for the defendant's own use.

In *United States v. Berger, et al.*, five defendants were convicted in the first successful prosecution under a statute prohibiting payment of kickbacks to obtain loans from labor-management welfare and pension funds.

The payments were made to obtain a \$1.5 million loan by the Central States Southeast and Southwest Area Pension Fund of the International Brotherhood of Teamsters to a near-bankrupt firm. The firm had issued a \$135,000 check which was converted into cash through a Bahamian Bank.

Other indictments brought during the period and pending include charges of bribery, extortion and kickbacks. In a number of these cases, and cases set forth in the previous report for 1967 (p. 14-16), a limitation on the effectiveness of enforcement is the fact that giving or taking of bribes to influence in union-management cases in violation of Title 29, United States Code, Section 186, is only a misdemeanor and conviction does not disqualify the defendant from continuing to hold union office.

3. Narcotics

Narcotics sales enable organized racketeers to utilize addicts as their agents to commit the thefts, robberies and burglaries necessary to amass the monies required to

buy drugs. The addict, once hooked on the habit and unable to obtain any drug or substitute legally, is in virtual peonage to the syndicate.

In dealing with this tragic picture Federal law enforcement has concentrated on seeking to bring to book the organized elements who provide the source of illicit drugs.

During the period covered by this report, a total of 443 narcotics offenders were convicted in this District.

The largest single narcotics shipment ever uncovered was involved in *United States v. Desist, et al.*, in which 209 pounds of pure heroin worth approximately \$25 million on the illegal market was shipped into the country in a freezer unit. One of the proposed buyers was Frank Dloguardi, who was convicted along with four other defendants. During the period covered in this report, the conviction of the defendants and the sentences including terms of 10, 15 and 18 years, were affirmed by the Supreme Court of the United States in a decision holding that a ruling applying search and seizure rules to non-trespassory electronic eavesdropping did not apply retroactively.

A major problem in large-scale narcotics conspiracy cases has been that one or more defendants frequently jump bail and become fugitives while the cases are awaiting trial. One reason for this is that the penalty for bail jumping is less than that for more serious substantive narcotics offenses, and the defendants often hope that witnesses to the basic offense will be unavailable for a second trial or afraid to testify.

United States v. Arnone, et al., involved \$120 million in narcotics, and the conviction of several defendants were reported in the previous report. Four defendants who jumped bail were tried and convicted for bail jumping and also for the basic narcotics offenses during the period covered by this report.

A major feature of many narcotics investigations is the use by the defendants of foreign secret accounts to hide their use and distribution of funds. For example, in *United States v. Hysohion, et al.*, two defendants were convicted and received 30 year sentences after a 2½ year investigation into the importation of heroin into the United States in cans labelled as food products imported from Spain. The proceeds were forwarded through New York money brokers to a numbered Swiss bank account. During one 3-week period \$950,000 was processed in this manner.

While two defendants who were convicted were in custody, they arranged with another prisoner about to be released on bail to dispose of heroin in \$50,000 lots. An elaborate system of communications was arranged with this inmate, who was actually an informant, and with a co-conspirator who was arrested for possession of two kilograms of heroin. A subsequent search of the location where the arrest took place uncovered ten additional kilograms in hollowed out portions of 200 ski poles imported from France the previous week.

Many other substantial narcotics cases were also successfully developed during the period, including *United States v. Bennett, et al.*, (\$22 million in heroin) (conviction affirmed on appeal); *United States v. Mitnik, et al.* (\$6 million in heroin) and *United States v. Grandi, et al.* (\$30 million in heroin).

In *United States v. Rao, John Vincent Rao, "Counsel"* to the Luchese Family, was convicted of perjury before a Grand Jury investigating narcotics distribution by the Luchese Family and was sentenced to five years.

4. Stolen Securities

Thefts of securities and their subsequent sale or use as collateral for loans are a major source of income for organized crime. In a modern variant, such securities may be

"rented" to be used as collateral as well. Discovery is impeded by the lack of a central data bank available to ordinary bank officers to check the serial numbers of missing or counterfeit securities. Disposition of stolen securities is also facilitated by the fact that many of them are originally made payable to whoever is the bearer. Convictions in three cases, *United States v. Izzi, United States v. Von Zamjt, United States v. DiLorenzo*, grew out of the transportation on January 25, 1967 of 2600 shares of stolen IBM stock worth \$1,038,700 from New York, where they had been stolen from a firm of stock brokers, to Gettysburg, Pa., where they were utilized in the continuation of a fraud which cost two insurance companies over \$2.4 million and eventually threw them into receivership.

In *United States v. Cataldo, et al.*, six defendants were convicted in a case involving conspiracy to transport in interstate commerce portions of \$500,000 in securities stolen in November 1967 from a Los Angeles brokerage firm. Two women who actually carried the securities to Florida were murdered and Jack "Murph the Surf" Murphy and Jack Griffith were convicted of the murder of one of them. Through an associate of Murphy's the securities came into possession of a defendant who mailed them to another defendant in New York.

In *United States v. Potenza, et al., United States v. Spgnuolo, et al.* and *United States v. Cervino, et al.*, 22 defendants were convicted on pleas of guilty to charges involving transportation of approximately \$425,000 of American Express travelers checks stolen from John F. Kennedy Airport, although a principal witness was murdered prior to trial. Two defendants are fugitives and a third has been hospitalized.

In *United States v. Farris, et al.*, two defendants were tried and convicted for interstate transportation of approximately \$225,000 worth of stolen securities. They were arrested when they attempted to sell the securities to an undercover agent in New York. Farris was sentenced to a term of eighteen months imprisonment and Mainer received three years; both are now serving their sentences.

In *United States v. Scandifia*, the conviction of defendant, an alleged murderer, for transportation of counterfeit bonds was affirmed. While the trial in that case was taking place, Scandifia committed further similar crimes with which he was charged in a subsequent indictment.

In *United States v. Pergola, et al.*, three defendants have been convicted and one is presently on trial for possession of \$800,000 in securities stolen from the mail.

Secret foreign accounts are often used in connection with these crimes. For example, *United States v. Bradford, et al.*, involved transportation of stolen Treasury bills to a Swiss bank. Although the Swiss bank refused to cooperate, the defendants were convicted.

5. Stolen Credit Cards

The theft and subsequent fraudulent use of credit cards is a "growth industry" controlled by organized crime. The mailing of untold numbers of unsolicited credit cards has greatly facilitated the theft of the cards (a) by tremendously expanding the number available to be stolen from the mails, and (b) by creating a large number of card addressees who do not know the cards have been stolen. The victims of the thefts often are required to expend legal fees to prove they did not authorize expenses run up by racketeers.

Federal jurisdiction in cases involving stolen credit cards rests on the use of the mails or interstate facilities, and hence federal law does not reach many of the cases. The wide dissemination of unsolicited cards creates a problem relevant to the Consumer

Fraud Unit (see *infra*) as well as to the drive against organized crime.

In *United States v. Confessore, et al.*, five defendants were convicted of mail fraud involving \$700,000 obtained through use of 1,500 stolen blank Diner's Club credit cards and a stolen embossing machine. Three defendants were sentenced to imprisonment for two years, and one was placed on probation. The fifth defendant was murdered between the date of conviction and the time of sentencing.

In *United States v. Bonanno, et al.*, Salvatore Bonanno and Peter Notaro were convicted of conspiracy, mail fraud and perjury in connection with the use of stolen Diner's Club cards.

In *United States v. Fincke, et al.*, three defendants were indicted for charging \$126,000 in telephone calls through fraudulent use of a credit card.

In *United States v. David Cohn, et al.*, twenty-five defendants were indicted for a theft of \$400,000 in blank American Express travelers checks, of which \$300,000 were cashed by a syndicate using forged American Express cards. Two defendants were sentenced to five years each; others are awaiting trial.

These federal prosecutions represent a substantial impact on syndicate operations using credit cards, but so long as the flow of unsolicited cards continues unabated it will continue to be difficult to deal with this problem, which may well expand rather than contract in scope.

6. Hijacking

Armed robbery and hijacking of trucks is likewise a major source of income for organized racketeers.

In *United States v. Baglino, et al.*, *United States v. Calarco, et al.*, and *United States v. Acunto, et al.*, 22 defendants were convicted of conspiracies to hijack interstate shipments and actual hijacking of 7 tractor-trailers carrying \$500,000 in goods during a period of three months and using dangerous weapons. The convictions of six defendants were recently affirmed, one appeal was dismissed and the appeals of three defendants are pending.

In *United States v. Maccardi, et al.*, 15 defendants including a high associate in the Carlo Gambino family were convicted in a fur hijacking ring and were sentenced to terms ranging from 2 to 10 years. In *United States v. Del Purgatorio*, a major bookmaking figure in the Bronx was convicted in a hijacking conspiracy and sentenced to two years.

7. Organized Gambling

The largest illegal gambling prosecution ever brought in the District resulted in the conviction of two defendants in *United States v. Marquez, et al.* for operating a policy racket taking in \$100,000 per day in bets. The defendants were sentenced to five and three year terms, respectively. At the time of their arrests, a total of more than \$15,000 in cash, together with gambling records, were found in their automobiles. While on bail pending appeal, Marquez was rearrested for subsequent illegal gambling and extortion.

In *United States v. Bell*, a conviction was obtained against a major numbers operator for evasion of \$14,000 in taxes on income from gambling. In *United States v. Longo*, a conviction was obtained against one defendant for conspiracy to defraud the government of taxes on the cashing of \$1 million of "Twin Double" racetrack tickets; trial of other defendants is pending. An indictment was obtained for similar violations in *United States v. Lombardozzi*.

In *United States v. Max Courtney, Frank Reed and Charles Brudner*, defendants successfully operated one of the most lucrative bookmaking syndicates in the United States until their departure for the Bahamas in 1964

where they played a major role in the operation of the Lucayan Beach Hotel Casino. Between 1964 and 1966 they were indicted on four separate occasions for violation of the federal wagering tax laws, the anti-racketeering statutes and the filing provisions of the income tax code. In early 1967 they were told to leave the Bahamas and later that year returned to New York where they were finally arraigned on the pending charges. In November 1968 Courtney and Reed pleaded guilty to conspiring to violate the anti-racketeering laws and to the substantive violation of failing to file partnership returns in connection with their bookmaking activities. Brudner is seriously ill and no date has been set for his trial.

In *United States v. Manfredonia*, the defendant was convicted of committing perjury while testifying on his own behalf during his trial where he was charged with violating the wagering tax statutes. The Court of Appeals reversed the wagering tax conviction, but the perjury conviction was affirmed. In its opinion the Second Circuit rejected Manfredonia's argument that the Government was estopped from proceeding against him on perjury charges once his original conviction had been reversed.

In *United States v. Covello*, the convictions of three defendants for illegal bookmaking activities utilizing interstate instrumentalities were affirmed. One defendant had been sentenced to 3 years and two to six months each.

In *United States v. Dello-Russo, et al.*, convictions of close associates of Sam DeCavalcante for interstate gambling activities were affirmed.

8. Infiltration of Legitimate Business

A number of cases illustrate our efforts to prosecute abuses of legitimate channels of trade for illegal purposes.

Such abuses may often involve the use of foreign banking secrecy. They also involve transfers of large amounts of cash, which by its very nature is generally most difficult to trace. Thus, in *United States v. Swinson*, after being given immunity and ordered to answer, the defendant falsely testified concerning the exchanging of several hundred thousand dollars in small bills for \$100 bills. He was convicted on a plea of guilty.

In *United States v. Dioguardi, et al.*, John "Johnny Dio" Dioguardi (a number of the Luchese family), Thomas Plumeri, David Perlman and First National Kosher Provisions, Inc. were convicted of bankruptcy fraud. The convictions centered around the looting of the assets of a bankrupt delicatessen and kosher provisions manufacturer, Consumer Kosher Provisions, Inc. Dioguardi received a sentence of five years.

In *United States v. Marino, et al.*, seven defendants were convicted of conspiracy to obtain \$1,350,000 from businessmen who were falsely told the money was needed to obtain Cadillac distributorships. When refunds were requested, threats of death were used to seek to silence the victims. The sentences in the case included one of 7½ years and four other prison sentences.

In *United States v. Radochia*, a Suffern car dealer was convicted of his part in a \$680,000 bank embezzlement. Operating through his co-defendant, the trusted Treasurer of a small Suffern bank, insured by the Federal Deposit Insurance Corporation, Radochia overdraw his account with countless checks. The overdrafts were covered with the complicity of the bank official who falsified bank records. Radochia and his co-defendant were both convicted, and Radochia received a five-year prison sentence.

In *United States v. Benigno, et al.*, five of six defendants were convicted of causing a bank official to accept payments to influence loans. In connection with the sentences of two of the defendants to terms of imprisonment, Judge Edmund L. Palmieri stated on the record that the offense justified a greater

penalty than he had the power to impose and that the statute involved (Title 18, United States Code, Section 215) was deficient in failing to provide for more than a one year penalty.

9. Loansharking

As part of the Truth-in-Lending Act, Congress enacted a Federal criminal provision prohibiting extortionate loans. In *United States v. Shulman*, the first prosecution under the law, the defendant was convicted of making \$1,000 loans on which \$4,400 in interest was collected, and threatening violence to collect the loans.

B. Role of foreign banking secrecy

In numerous instances use of secret bank accounts and fictitious corporations in Switzerland, Lichtenstein, the Bahamas and other foreign locations have been used to conceal criminal activities. I testified on two occasions on this subject before the Committee on Banking & Currency of the House of Representatives, in 1968 and again in 1969. Some of the more significant prosecutions in this area follow.

In *United States v. Coggeshall & Hicks, et al.* the brokerage firm of Coggeshall & Hicks, its senior partner, the heads of its Geneva office and Foreign Department, and other employees were convicted of violating Federal Reserve Board margin regulations by arranging for employees and customers of the firm to trade \$20,000,000 worth of stock illegally through secret numbered Swiss bank accounts. Under this scheme customers for the brokerage firm would obtain loans from the Arzi Bank of Zurich, Switzerland and speculate in the securities market. Customers' identities and potential tax evasion were concealed by placing all orders on the books of the firm in the name of the Swiss bank. Coggeshall and Hicks received the maximum \$50,000 fine for participating in and encouraging these margin violations. The 5 individual defendants were sentenced to pay fines exceeding \$50,000. The Arzi Bank also pleaded guilty.

In *United States v. Orovitz*, a former Treasurer of General Development Corporation, a Florida land firm, was convicted of failure to file required "insider" reports with the Securities & Exchange Commission on a sale of \$250,000 in General Development bonds which had been held in the name of a Swiss bank. A total of \$500,000 in such bonds was held in the name of the Swiss bank at the defendant's instructions. The defendant admitted at the trial receiving \$50,000 in cash from the Swiss bank in the mail but allegedly did not know the details of the origin or purpose of the funds.

In *United States v. Hayutin, et al.*, the Government proved that defendants sold unregistered stock of a company in which they were insiders to the public by delivering the shares to a bank in Munich which in turn sold them through brokerage firms where it had accounts. The proceeds of the sales were then mailed to insiders in the United States in \$5,000 and \$10,000 sums in envelopes falsely marked "securities." The convictions and prison sentences were affirmed on appeal.

In *United States v. Laurence, et al.*, an indictment filed in March, 1969, six defendants are charged with selling unregistered stock of VTR, Inc., a company listed on the American Stock Exchange, by placing 85,000 shares in Swiss and German banks for sale on the exchange while trading the stock throughout the United States, Europe and the Far East. A Liechtenstein Trust was used in transferring the stock to the German bank.

United States v. Houston Oil Field Material Co., et al., charges that the Houston Oil Field Material Co. (HOMCO), now known as International Systems and Controls, violated the margin requirements of the Federal Reserve Board in purchasing a substantial

interest in Holly Sugar Corp., a much larger firm, by obtaining over \$1 million worth of Holly stock for only about \$300,000 in cash. The scheme was accomplished by purchasing the stock for the account of a Uruguayan brokerage firm which was acting on behalf of HOMCO. HOMCO has pleaded guilty.

In *United States v. Giampola*, a former employee of the Chase Manhattan Bank was convicted of conspiracy to defraud the bank by sending a fraudulent cable authorizing the transfer of \$11,000,000 to a Swiss bank.

In *United States v. Blackwood, et al.*, six defendants, including a law professor, were indicted for taking stolen securities out of the country to be sold through a Swiss bank.

In *United States v. Braverman, et al.*, two sales representatives for firms selling to military post exchanges were indicted for evading taxes on \$3 million of income by diverting commissions to a Liechtenstein company that were then deposited in a Swiss bank.

In *United States v. Dolin, et al.*, the Executive Vice President of Realty Equities Corp. and a consultant to the company are named as defendants. This indictment charges that through a series of transactions an opportunity became available to Realty Equities to repurchase a note with warrants attached at a price substantially below its fair market value. This opportunity was not utilized for the benefit of the corporation, but instead, the indictment charges, the note was purchased by a Swiss bank for the benefit of the consultant. The purchase was for \$531,250; very soon thereafter, the note was sold for \$988,542—a quick \$450,000 profit.

In *United States v. Lerner, et al.*, the indictment charges that significant amounts of three new issues, one of which was Weight Watchers International, Inc., were purchased by a Panamanian company through several Swiss banks, including such giants as Credit Suisse. The defendant owned 48% of the Panamanian company used to violate the U.S. Securities laws.

In *United States v. Rayward*, an indictment charged a defendant with siphoning off funds earned in this country into a dummy Panamanian corporation to evade income taxes. The defendant is a fugitive in Switzerland and is continuing to conduct business here through another name. A search warrant executed at the premises was upheld but this failed to halt the operation.

Other cases involving abuse of foreign accounts for illegal ends are referred to elsewhere in this report including those contained in the preceding section on prosecutions related to organized crime such as narcotics. However, other members of society also use such accounts to cheat the Government out of taxes and to conceal other criminal conduct.

C. Consumer fraud

Protection of the public against consumer fraud is of primary importance both to the reputation of legitimate business and the protection of the public—particularly the poor—against oppressive practices. In order to utilize existing federal statutes more effectively in this field, a new Consumer Fraud Unit was established by the Office in 1968.

The primary federal criminal statute, applicable to fraud against consumers is the mail fraud statute.

Under the mail fraud statute, any scheme to defraud or to obtain money by false representations is covered if the mails are used. The false pretenses themselves need not be contained in anything sent by mail. It is enough if the mails are used in any respect for the purpose of executing the scheme.

In *United States v. Zoviuck*, three defendants were convicted in a scheme involving deceit and intimidation in the operation of a "chiropractic" establishment falsely promising "free" treatments handling some 20,000 new patients annually and processing about 160 persons per day. Witnesses testified that they were told upon arrival that they needed

treatment, in one case, because the patient would soon die, and in another, because he would end up in a wheelchair shortly. Patients who failed to pay for their "treatment" sometimes lasting two to three minutes received printed notices that they would be found "guilty" by a Judge and that "we are . . . notifying your family, your friends . . . your employer, your church, etc. . . ."

The principal defendant in this case was sentenced to a term of four years, and two co-defendants to lesser terms. A co-defendant was also convicted in a separate trial of assaulting federal marshals who were executing a search warrant and an arrest warrant on the premises.

Instrumentalities of the offense charged were seized under federal search warrants when the indictment was filed. The warrants were upheld by the Court. In its opinion, the Court pointed out that defendants appeared to continue the activity charged in the indictment even after the indictment was filed. Convictions were obtained under a separate indictment covering such subsequent acts. The convictions were unanimously affirmed from the bench on appeal.

In *United States v. Armantrout and United States v. Sternigass*, convictions were obtained for "chain referral" swindles in which purchasers of merchandise, who paid from several hundred dollars up to \$1,200, were falsely told that by solicitors visiting the victims in their homes that the victims could obtain the items at no cost by furnishing names of other potential customers. It is mathematically impossible for such promises to be true for the average customer.

In *United States v. Monroe Caine, et al.*, three defendants were indicted for mail fraud in connection with their promotion of the "Unltron", an alleged gasoline saving device which sold for \$4.95 on which the defendants allegedly grossed over \$800,000 in their first ten months of operation.

In *United States v. Lopez*, a conviction was obtained for fraud involving the obtaining of deposits from Spanish-speaking automobile insurance applicants and then substituting bad checks sent to the insurance companies, while falsely using the name of another insurance broker, to conceal the fact that the defendant had no valid license.

In *United States v. Regent Office Supply Co.*, the Court found two corporations guilty of mail fraud where salesmen posing as doctors or lawyers falsely told purchasing agents that office supplies were on distress sale due to the death of a friend, and the mails were used to bill the purchasers.

A conviction was obtained in *United States v. Feldman* for shipment of 24,300 pounds of meat with false Department of Agriculture inspection "choice" stamps, to the United States Military Academy at West Point.

In *United States v. Currier*, a conviction was obtained and a four year sentence imposed for forty-five counts of bilking twenty-two college, high school and social organizations across the nation of tens of thousands of dollars by falsely representing that the defrauded groups would be provided such show business personalities as The Beach Boys, The Kings Men, The Lettermen, Roy Orbison, Peter, Paul and Mary, The Clancy Brothers and Tommy Makem, Dave Brubeck, The Miracles, Stan Kenton, Mitchell Trio, The Four Freshmen, Josh White, The Four Preps and Gall Garnet.

In *United States v. Kalkin*, an indictment was returned against a collection attorney for fraudulently adding collection fees to judgments.

"Sewer Service"

As a result of many complaints the Office began an investigation into possible violations of Federal laws in connection with a practice known as "sewer service".

"Sewer service" refers to the practice of process servers or process serving agencies of falsely alleging service of process on individ-

uals. Default judgments are then entered with such results as the executions of income and attachments of property. Since the overwhelming majority of persons victimized by sewer service are unable to hire attorneys to move to set aside judgments entered against them without notice, the judgments remain in effect and serve to significantly burden the lives of the judgment debtors.

Under the supervision of Postal Inspectors, post office employees compiled a schedule of default judgments entered in the Civil Court of the County of New York over a randomly selected 3-week period: the last two weeks of February 1968 and the first week of March. Every default judgment entered in that period was recorded as well as the name of the process server, the date and place of the alleged service, the names of the parties and the name of the plaintiff's attorney. The completed schedule revealed that about 1,000 judgments were entered in each of the 3 weeks in the Civil Court.

Once the schedules were completed, postal inspectors wrote letters to each of the persons against whom the 3,000 default judgments were entered, addressing the letters to the place where the alleged service took place. Although mailed but a few weeks after the alleged services, approximately 900, or 30%, of these letters were returned to the Post Office with a stamp revealing an inability to deliver the letter as addressed for reasons such as the non-existence of the addressee at the address indicated, his previous departure to another address or the non-existence of the address. Thus, before any issue of the credibility of the judgment debtor was reached the investigation disclosed that approximately 30% of the judgments entered in the Civil Court were entered without notice.

In *United States v. Wiseman*, the defendant was convicted under the Civil Rights Act of 1866 for falsely stating he had served summonses, thus causing default judgments to be entered without notice, constituting a deprivation of property without due process of law, contrary to the 14th Amendment. Thereafter, five other process servers (all in the survey referred to above) as well as the principal of a process serving agency were indicted for similar violations. In *United States v. Rick*, one of these five process servers was also convicted for violation of the Civil Rights Act by falsely swearing that he had served a summons in a civil case.

A search warrant for documents kept by a process serving agency yielded about 6,300 affidavits signed in blank by about 100 different process servers. About 150 of these affidavits had also been notarized in blank. Process servers who have gone to trial have testified as to signing over 100,000 of these blank affidavits of service.

Process servers are also required by Federal law to certify that they have reason to believe the person served is not in military service. A complaint in *United States v. Kaufman* charges the filing of a false affidavit in violation of this provision.

Investigations also revealed a repeated practice of bringing suit in a county where a finance company is located even though the sale was made elsewhere and the buyer lives elsewhere, depriving customers of their day in court.

D. Securities fraud

The Securities Fraud Unit, created in 1961, devotes its time to the discovery and prosecution of stock frauds and manipulations perpetrated on the public. During the period covered by this report, 48 convictions were obtained in this District for such offenses. In addition to prosecuting cases referred to the Department of Justice by the Securities Exchange Commission, investigations have been instituted into areas previously receiving little prosecutorial attention. For example, a Grand Jury investigation into possible manipulation of securities traded on the

American Stock Exchange led to 5 separate indictments in 1967-68. And a current Grand Jury investigation into the use of Swiss Bank accounts to conceal illegal securities transactions executed in this country has already resulted in a number of cases which are reported in Section B above.

A description of some of the more significant securities fraud cases prosecuted during the period follows.

In *United States v. Louis Wolfson, et al.* (I), Louis Wolfson and his chief business associate, Elkin Gerbert, were convicted of conspiracy and eighteen violations of the Securities Act arising out of the illegal sale of approximately \$3,000,000 worth of unregistered common stock of Continental Enterprises, Inc., a company controlled by Wolfson. Wolfson was sentenced to a prison term of one year and fined \$100,000 and the costs of the prosecution. Gerbert received a six months sentence and \$50,000 fine. The convictions were unanimously affirmed by the Court of Appeals.

In *United States v. Louis Wolfson, et al.* (II), Wolfson, the chairman of the Board of Directors of Merritt Chapman & Scott Corporation; Staub, the president; Gerbert, a director; and Kosow, a Boston financier, were convicted of conspiring to commit perjury, suborn perjury and obstructing justice in connection with an SEC investigation into stock transactions totalling over \$15,000,000 entered into between Kosow and Wolfson on behalf of Merritt Chapman & Scott. Wolfson and Gerbert were also convicted of perjury and, with Staub, of causing Merritt Chapman & Scott to file false reports with the SEC. Wolfson and Gerbert each received prison sentences of 18 months to be served after the completion of their earlier sentences and were each fined \$32,000. Kosow was sentenced to one year in prison and fined \$10,000. Staub was fined \$30,000.

In *United States v. Simon, et al.*, two partners and a senior associate of the national accounting firm of Lybrand, Ross Bros. & Montgomery were convicted in June, 1968, for conspiracy and mail fraud in connection with the 1962 financial statements of Continental Vending Machine Corp. The defendants were found guilty by a jury of concealing the fact that the President of the corporation had siphoned off over \$4 million from the corporation through an affiliated company and the fact that the "marketable securities" purportedly securing the debt consisted of the President's own controlling interest in the company itself. In addition defendants were found guilty of attempting to diminish the size of the defalcation by falsely stating that the "debt" to the corporation could be reduced by an offsetting payable which was in fact not available as an offset. The convictions were affirmed by the Court of Appeals.

In *United States v. Birrell, Lowell M. Birrell*, the stock promoter who fled the country in 1957 and returned from Brazil in 1964, was found guilty of conspiracy and substantive violations of the Securities Act of 1933 in connection with the sale, for approximately \$3,000,000, of unregistered stock of American Leduc Petroleum, Ltd. A hearing is presently pending on the issue whether any evidence used at Birrell's trial derived from certain files, estimated to contain from two to four million documents, which were seized in 1959 while he was a fugitive and suppressed as evidence against Birrell in 1965. The maximum sentence which could be imposed on Birrell is 55 years imprisonment and a \$60,000 fine.

In *United States v. Kane and Freudberg*, the defendants were convicted of conspiring to sell approximately 1½ million dollars worth of unregistered stock of the American Dryer Company during 1959. The defendant William Kane, the owner of the stock, was the president of American Dryer Company

in Philadelphia. The defendant Myron Freudberg, a bank president, assisted Kane in disposing of the stock through various brokers in New York. To accomplish this scheme Kane transferred his stock into the names of over 40 fictitious persons and nominees. Freudberg, as bank president, guaranteed the purported signatures of these persons on stock certificates, delivered the stock to the purchasing brokers and paid the proceeds over to Kane.

In *United States v. Arzi Bank*, an indictment was filed in December 1968 against the Arzi Bank, A.G., Zurich, Switzerland, charging in one count that Arzi, as a broker and dealer transacting business within the United States, had extended credit to customers in violation of the margin requirements of Regulation T of the Federal Reserve Board. The bank pleaded guilty on the same day, and was fined \$2,500.

In November 1968 about \$2 million worth of securities at three brokerage houses in New York City was seized on the ground that the securities were both the fruits and the instrumentalities of crime. This seizure was not challenged by either the defendant or the brokerage houses.

In *United States v. Eugene Ross, et al.*, the President and owner of Ross Securities, Inc., and two other defendants were convicted of conspiring to manipulate the price of Pan Alaska Fisheries, Inc. common stock from \$4 to \$8.75 in the over-the-counter market. The injury to the public exceeded a quarter of a million dollars.

In *United States v. Samuel Goldberg, et al.*, the manager of the Biltmore Securities Corp. and a number of its salesmen were convicted for sale of about \$1 million of worthless Utah Uranium and Oil Company stock and that of its successor Shelton-Warren Oil Co. The convictions were affirmed on appeal except for that of a salesman found to have withdrawn from the conspiracy.

In *United States v. Donald Mullany*, the first prosecution for violation of the reporting regulations as to commodity futures under the Commodity Exchange Act, a margin clerk was convicted for trading potato futures in the accounts of customers without their knowledge.

In *United States v. Parrott, et al.*, two defendants were convicted of conspiracy to sell unregistered stock by fraud. Petron Corporation owned a worked-out uranium mine and an oil lease that had never produced any net income. The printed brochures distributed by the conspirators depicted the company as having a "pro forma" net worth of nearly \$70,000,000 based on two options which the company had no funds to exercise.

In *United States v. Allen, et al.*, three defendants were convicted of engaging in a national and international scheme to manipulate the price of Pentron Electronics Corporation on the American Stock Exchange in early 1963. The defendants, who included two former stock exchange salesmen and a Canadian investment adviser then living in Paris, France, allegedly created demand for Pentron stock through the use of under-the-table payments of cash to persons who recommended the purchase of the stock.

In *United States v. Peltz, United States v. Karp, United States v. Mandell and United States v. Jacobson*, four defendants were indicted in the first cases charging illegal "short sales" in violation of S.E.C. rules requiring that such sales be made when the price of the securities are going up or holding steady. The four, according to the Government, did not tell their brokers that they did not own the stock when they gave orders for the brokers to sell. A further indictment charges Peltz was given confidential information by an SEC employee for whom he secured the services of prostitutes. The Court upheld the validity of the statute and regu-

lations against attack on a motion to dismiss the indictments. In *United States v. Weiner*, a former SEC Branch Chief was indicted for perjury before a Grand Jury investigating the receipt of inside information by the four defendants charged with the short sales. Peltz has been convicted; trial of the other defendants in these cases is pending.

In *United States v. Victor Muscat*, the defendant, who was president and chairman of the board of Fifth Avenue Coach Lines, Inc. and Defiance Industries, Inc., and also an officer and director of numerous other corporations, was indicted and charged in 7 counts with perjury before a Federal Grand Jury and filing false and misleading reports with the Securities and Exchange Commission.

Muscat pleaded guilty to the two counts of the indictment relating to the filing with the SEC of false and misleading reports of Fifth Avenue Coach Lines.

In *United States v. Edward Krock*, the defendant was indicted and pleaded guilty to all three counts of an indictment charging him with causing to be made false and misleading statements in annual reports and proxy statements of Fifth Avenue Coach Lines, Inc. and Defiance Industries, Inc.

Krock, a Massachusetts financier, was an officer and director of Fifth and Defiance. At that time, Fifth's stock was listed on the New York Stock Exchange and Defiance stock was listed on the American Stock Exchange.

In *United States v. Roy M. Cohn*, a Federal Grand Jury returned a 10-count indictment against Roy M. Cohn. Counts 1 through 5 charged Cohn with mail fraud and wire fraud violations relating to several public companies, including Fifth Avenue Coach Lines, Gray Lines Corp., Defiance Industries, Inc., and American Steel and Pump.

Counts 6 through 9 charged Cohn with making false statements in reports and proxy statements of various public companies including Fifth Avenue Coach Lines, Inc.

Count 10 charges that Cohn conspired with others to use interstate facilities, including the mail, to defraud certain public companies and to file false and misleading statements and reports with the SEC.

In *United States v. Sinclair N. Robinson*, the defendant is charged in a 7-count indictment with mail and wire fraud, concealment of assets in bankruptcy proceedings of several public corporations, and concealment of facts relating to those public corporations from the Securities and Exchange Commission, and conspiracy. The principal company whose stockholders were allegedly defrauded by Robinson was Pantex Manufacturing Corporation, a Rhode Island dry cleaning equipment company which went into bankruptcy in 1963.

Mr. Robinson was a fugitive for 2½ years and was apprehended by the FBI in March of 1968. He is under indictment in the United Kingdom and in Switzerland for defrauding British and Swiss corporations of millions of dollars.

In *United States v. Whorl*, the defendant was convicted of a violation of the margin requirements. This was the first criminal prosecution for a violation of Regulation U since its promulgation in 1934.

E. Fraud against Government funds in housing and renewal and other programs

Under Federal housing programs, benefits are generally provided indirectly through payments or guarantees to third parties. A number of cases have uncovered fraud in such programs including the following:

In *United States v. Schwartz, et al.*, two partners in a moving and trucking firm, and a customer of the firm were indicted for submission of false expenses for relocating the customer incident to a renewal program financed in part by Federal funds.

In *United States v. Aaronson, et al.*, an accountant and an attorney, promoters of a

\$2 million FHA insured housing project in Brooklyn which went into default causing a loss to the Government of \$400,000, were indicted for falsifying their working capital and number of subscribers.

In *United States v. Mayer, et al.*, an assistant vice president of a bank and three contractors were indicted for fraudulently obtaining FHA insured loans.

In a related type of fraud involving housing financing, in *United States v. Deaton, et al.*, three defendants were indicted for fraudulently obtaining \$150,000 in advance fee payments from mortgage applicants.

In *United States v. Crisona*, an extensive mortgage swindle defrauded victims out of more than \$110,000. Frank Crisona, a former Queens County Assistant District Attorney, received advance fees from borrower victims which he said he would hold in escrow pending the funding of mortgage loans. All of the defendants received prison sentences which were upheld by the Court of Appeals.

Prosecutions also were pressed for fraud against other federal programs. In *United States v. Schueler* a conviction was obtained for false statements to AID authorities where \$18,000 was billed for transformers at \$550 each, whereas the catalog price was \$25 each. In *United States v. Gubbay*, an indictment was returned for false statements to AID as to the origin of goods made abroad and labeled as U.S. origin.

In *United States v. Bzura, et al.*, six men, and Professional Health Services, Inc. and its subsidiary Rugby Funding, Ltd., which purchased Medicaid accounts from doctors, were indicted for fraudulent sales of \$2 million in securities to the public without disclosing secret misuse of corporate funds. This indictment grew out of a continuing investigation of abuses involving Medicaid funds, fifty percent of which are provided by the Federal Government.

In *United States v. Adams*, as a further outgrowth of its investigation into corruption into the administration of the State Medicaid Program, the Grand Jury indicted State Senator William E. Adams, Chairman of the Senate Committee on Social Services and an author of the original Medicaid bill, for perjury and obstruction of justice in connection with his receipt of \$5,000 in cash from two officials of Professional Health Services, Inc.

In *United States v. Harry Lightstone*, the General Counsel of the Pennsylvania Turnpike Commission was arrested for attempting to receive bribes and extort some \$25,000 from Merritt-Chapman & Scott Corp. for the settlement of a million-dollar construction claim pending before the Commission.

F. Bombing and other crimes of violence

While most "street crime" is a violation of local rather than Federal law, crimes of violence against federal property, interstate hijacking (discussed in the section concerning organized crime) and certain other crimes of violence come within the Federal Criminal Code.

In *United States v. Compton*, the defendant was convicted of threatening the life of President Nixon in two telephone conversations in which he stated he had a gun and would kill the President within a month.

In *United States v. Lazarus, et al.*, two defendants were convicted of conspiring to inflate the world copper price by blowing up a bridge in Zambia in East Africa. The charge was the first under a 1917 law prohibiting conspiracies to destroy public property in countries at peace with the United States.

In *United States v. Coleman, et al.*, two women were convicted of kidnapping a 3-year-old girl and transporting her to South Carolina for sale.

In *United States v. Lombard*, the first federal indictment for illegal shipment of mail

order guns resulted in a conviction for unlawful transportation of pistols and revolvers.

In *United States v. Melville, et al.*, four defendants are charged with conspiracy to place bombs in two Federal Buildings and in four United States Army trucks located in New York City.

United States v. Joseph D'Amico, et al., involved convictions for a White Plains bank robbery by three members of a New Haven gang, believed to number between 30 and 40, which specialized in robberies. The robbers all wore Navy watchcaps pulled down over their faces to prevent identification. One robber was arrested just outside the bank, was convicted on his plea and was sentenced to 12 years. D'Amico went to trial. He was not apprehended at the scene and none of the witnesses were able to identify him. He was identified by comparison of hair from D'Amico's scalp with hair left in a watchcap discarded outside the bank. D'Amico was convicted by a jury and received a sentence of 14 years.

G. Water pollution

During the last year this office has filed indictments or informations against several railroads and oil firms depositing oil, acid and other wastes in navigable waters.

In *United States v. Spearin, et al.*, the defendants engaged in a land-fill operation for the World Trade Center in lower Manhattan, and were convicted of causing wooden timbers to flow into the Hudson River on two different days. In *United States v. Federated Homes, Inc.*, the defendant was convicted of causing wooden timbers to be deposited on the banks of the East River in such a way that they were liable to be washed into the East River, a navigable water, by tidal action and storms.

H. Income tax fraud and bribery

During the period 62 defendants were convicted in income tax cases, including both figures involved in other illegal activities and affluent members of society who chose to cheat on their taxes.

In *United States v. Charles Marcus*, defendant was convicted for income tax evasion and filing of false income tax returns. Marcus, a Certified Public Accountant, earned the bulk of his unreported income as an unlicensed check cashier. The evidence established that Marcus cashed more than \$10,000,000 worth of checks, receiving a commission of at least 1%, most of which he failed to report on his income tax return. To effect his check cashing operation, Marcus opened more than fifty bank accounts in ten banks under twenty different names. A substantial amount of the check cashing was done for bookmakers, who discounted with Marcus the checks they received in payment of gambling debts. Much of the balance consisted of checks Marcus received from persons engaged in textiles and related businesses, who used Marcus' services to evade their own taxes by listing as expenses money they in fact pocketed.

The Court of Appeals affirmed the conviction. Investigations into Marcus' affairs led to the indictment or conviction of a number of bookmakers and gamblers who were exposed by tracing the checks deposited in Marcus' account.

In *United States v. Kornstein*, a former officer of a real estate brokers association was convicted of tax evasion. The evidence indicated he had accumulated almost \$200,000 in a "reserve" in savings accounts without paying tax on it.

In *United States v. Aberson*, the defendant was convicted and sentenced to one year's imprisonment for failing to report over \$60,000 in commissions he earned for assembling oil leaseholds in the Southwestern United States on behalf of Canadian stock promoters.

In *United States v. Bernstein, et al.*, two defendants in the millinery business were

convicted of a tax fraud in which they caused inflated bills to be submitted by a supplier of hat decorations. The convictions and prison sentences were affirmed on appeal.

In *United States v. Proner*, the conviction and 3-year sentence of an importing firm owner was affirmed. While negotiating a settlement of \$1 million in back taxes, Proner filed false statements of current income with the IRS concealing secret profits in a flower importing business.

A new development in criminal tax cases has been the expanding assertion of the insanity defense. Defendants who have never been committed to a mental institution are increasingly claiming that although their mental condition was such that they could amass large sums at the same time it prevented them from meeting their tax obligations. In some cases past "temporary" insanity is claimed.

In *United States v. Baird*, the Court of Appeals held, however, that when an insanity defense is raised the Government may obtain an order for its psychiatrist to examine the defendant and testify at trial. In that case the defendant, a floor broker and partner with a leading New York stock brokerage firm, was convicted of failing to file his Federal income tax return for a five-year period.

In *United States v. Hagedorn*, a wealthy newspaper publisher was convicted on two counts of income tax evasion. The Government proved that Hagedorn had charged substantial personnel expenditures ranging from a trip to Europe to works of art in his home to three closely held corporations controlled by him. Hagedorn received substantial fines following his conviction by a jury.

From July 1, 1967 up to October 1, 1969, this office has indicted 34 Internal Revenue employees, 27 tax practitioners and 16 taxpayers for bribery and attempted bribery. During this period, 12 employees and 32 accountants and taxpayers have been convicted of these offenses.

An intensive investigation of corruption in the Internal Revenue Service in the New York area was carried on by the Inspection Service of the Internal Revenue Service working in collaboration with this office. One phase of the investigation involved undercover work which resulted in the arrest of 36 individuals during 1968, of which 31 have been indicted and 8 convicted.

During the course of the investigation a Special Grand Jury was empanelled, and more than 220 individuals were subpoenaed to testify before it. More than 900 tax returns have been selected for reaudit and to date approximately 417 have been assessed with an additional total tax deficiency of more than \$3,000,000.

Since July 1, 1967 to October 1, 1969, approximately 185 overtures of attempted bribery and other misconduct were reported by employees. Prior to this office's commitment to root out corruption in the tax area there were not more than 10 attempted bribes reported for a comparable period of time.

I. Miscellaneous Federal crimes

1. Theft of Welfare and Social Security Checks

During 1968, the City of New York, Department of Social Services, discovered that somewhere in the neighborhood of two million dollars' worth of Welfare checks were being reported stolen each month. Since these checks are sent through the mails, the United States Postal Service began to investigate to determine if rings of individuals were receiving and handling large numbers of stolen checks. During the later part of 1968, the Post Office was able to determine that most of these stolen checks were being removed by addicts from hallway mail boxes on welfare check days, which fall regularly on the 1st and 16th of each month. These addicts were then selling these checks at 20%

of their face value to operators of businesses. The buyers of stolen checks would then deposit the checks in their bank accounts to finance other business operations. The City, suffering from a huge overload of work, in many cases paid these checks and only months later was able to return these checks to the banks in which they were deposited. Numerous indictments and convictions have been obtained.

In *United States v. Joseph Bastone, et al.*, two individuals pleaded guilty to buying and receiving stolen checks on the morning their trial was scheduled to begin. During the trial against Joseph Bastone, the Government called in excess of 75 Welfare recipients to the stand to prove that the checks deposited by Bastone had been removed from mailboxes. Bastone was found guilty by his jury and sentenced to fifteen years.

Altogether the cases brought involved the theft of over a million dollars worth of welfare checks.

In *United States v. Jose Gonzales, et al.*, two defendants have been convicted and others are awaiting trial in a case involving stealing Federal Social Security as well as welfare checks. Drug addicts and juvenile delinquents were used to steal checks, which defendants would purchase at a large discount from their face value, and then deposit in bank accounts maintained by bakery and grocery businesses.

2. Counterfeiting

During the period involved, 291 convictions were obtained for printing and passing counterfeit money.

In *United States v. Spitalieri, et al.*, four defendants were convicted of transporting \$500,000 of counterfeit \$20 United States bills although a Government witness' family was threatened and he refused to testify.

In *United States v. Gonzalez-Carta et al.*, two former Government Officials of Cuba, were among six defendants convicted of conspiring to counterfeit \$1 million in United States currency for the purported purpose of purchasing arms allegedly for use in revolutionary activities. Over \$500,000 in counterfeit 20-, 50-, and 100-dollar bills were recovered before they could be distributed. The convictions were affirmed on appeal and Gonzalez-Carta, a former Cuban Congressman, and Perez-Carril, formerly the Postmaster of Oriente province, are serving sentences of 5 and 3 years respectively.

3. Official Misconduct

Several prosecutions during the period involved official misconduct.

In *United States v. Ballard and United States v. Spratley*, a former Secret Service agent and a former Federal Bureau of Narcotics Agent were convicted in jury trials of dealing in counterfeit money, in a scheme to use the proceeds of the counterfeit to buy and sell heroin.

In *United States v. Bell, et al.*, two former federal narcotics agents were convicted of conspiring to commit extortion. The two agents remained in the vicinity of a suspect's apartment after other surveilling agents had terminated activities for the night. They thereafter made a forced entry to the apartment, masquerading as "police officers" and showing their federal badges, and tried to shake down the suspect.

4. Pornography

Despite controversy over what is sufficiently harmful pornography to be prohibited and under what circumstances, the Office was able to bring important prosecutions in which the lack of redeeming social value of the material was so clear that the issue of obscenity was not even raised on appeal. In *United States v. Saks, et al.*, two defendants were convicted in a case involving distribution of 50,000 photographs and thousands of reels of film. Obscenity was not

an issue raised on the appeal which is now pending.

In *United States v. Tourine, et al.*, two defendants were convicted of conspiring to bribe a Customs inspector to admit allegedly pornographic booklets invoiced as "cups and saucers." Two other defendants are awaiting trial.

In *United States v. Wild, et al.*, a landmark decision was rendered by the Court of Appeals affirming the convictions of two defendants for distributing photographs showing homosexual acts being committed. The material was sent unsolicited to some recipients. The Court held that expert testimony was not needed to show the nature of the appeal of the exhibits.

5. Copyright Violations

In *United States v. Slapo, et al.*, two men and a corporation were convicted for publishing "fake" musical books in violation of Title 17, United States Code, Section 104 which makes it a crime to infringe for profit a valid copyright. The defendants were charged with publishing large quantities of collections of popular songs without the permission of the true copyright owner. At the trial, in order to prove the similarity between the fake book songs and the copyrighted sheet music, composers and musical experts testified and played the piano. The defendants were convicted on all 45 counts and received fines in the aggregate amount of \$22,500.

6. Bootlegging of Untaxed Cigarettes

In *United States v. Paladino, et al.*, the first indictment of its kind in the country was returned charging the defendants with cigarette smuggling operations which caused losses to the New York State and New York City Government of tax revenue in millions of dollars. Investigations into other companies operating in the same fashion are continuing.

7. Payola

In *United States v. Alasco, et al.*, four disc jockeys on two radio stations have been indicted for receiving bribes from manufacturers in return for playing particular records.

8. Illegal Gold Transactions

In *United States v. Brown*, a conviction was obtained for violation of gold laws by possession of a bar of 20-carat gold worth approximately \$1,400 without a license.

9. Immigration Fraud

A substantial number of the 76 convictions obtained during the period for Immigration violations involved fraudulent marriages.

In *United States v. Artry, et al.*, four defendants were convicted of conspiring to defraud the Immigration and Naturalization laws by arranging fraudulent marriages between Jamaican aliens and United States citizens. After the "wedding ceremony" petitions were filed with the Immigration Service on behalf of the aliens to obtain permanent residence for them in the United States by virtue of the marriages. At the trial it was proven that the marriages were never consummated and that the parties never lived together. Howard Artry, the chief defendant who headed the operation was sentenced to 18 months imprisonment. In *United States v. Moratis and United States v. Surrantos*, a lawyer and a travel agent were also indicted for arranging several fraudulent marriages.

In *United States v. Abrams*, defendant, an attorney, was convicted for counseling clients to make false statements to the authorities and to conceal themselves while remaining in the United States illegally. In addition, Abrams was convicted of attempting to obstruct justice by causing a Government witness to recant her testimony.

United States v. Williams, involved a conviction for fraud in the entry of dancers into the United States from Middle Eastern countries. The defendant an agent for dancers in

New York City, filed spurious contracts with the Department of Justice.

10. Military

In addition to cases based on failure to comply with Selective Service laws, the Office had to contend with a number of instances in which persons in violation of such laws fled the country and with situations involving obstruction of selective service functions, including draft-card burning cases. In *United States v. William Daniel Roberts, Jr.* a civilian employee of the Army Reserve was convicted in March, 1968 of accepting bribes in connection with the enlistment of applicants into the six-month Army Reserve program. He received a six-month sentence and his conviction was affirmed on appeal.

11. Customs Fraud

Convictions for violations of the Customs laws were obtained in 12 cases during the period. Among the noteworthy prosecutions were the conviction in *United States v. George* for bringing in tablecloths from the Far East falsely invoiced as figurines, the convictions in *United States v. Tourine, et al.* mentioned previously (involving allegedly obscene booklets invoiced as cups and saucers) and the indictment in *United States v. Cassotta*, in which a Customs Inspector was charged with falsely initialing documents to indicate that he had checked merchandise which he had not in fact inspected, and with accepting bribes to pass the merchandise involved in the *Tourine* case.

12. Other Stolen Property

In *United States v. Louis Edelman*, the defendant was convicted for the interstate transportation of 250 stolen paintings worth more than \$25,000. After stealing the paintings from his employer, Herbert Arnot, a leading importer of commercial European paintings, Edelman sold them across the country to help set up his own business. Proof at the trial established that Edelman was aided in this venture by his wife who was subsequently indicted. A sentence of two years and a \$10,000 fine was imposed and the conviction was affirmed by the Court of Appeals.

In *United States v. Olsen*, defendant was convicted of interstate transportation of \$15,000 worth of rare coins and currency stolen from a Minneapolis Department store.

13. Other Frauds

In *United States v. Eskow*, two officers of Yale Express Systems, were convicted of 23 counts of mail fraud. The defendants fraudulently obtained loans of \$2,350,000 from eight insurance companies through the use of false financial statements of Yale and its subsidiaries. The false information was also distributed in reports of the company. Shortly after the loans were obtained, the company went into reorganization.

In *United States v. Hagggett, et al.*, a Vice-President of the Meadowbrook National Bank, and a TV executive who borrowed money from the bank to finance his companies, were convicted of misapplication of federally insured bank funds. Proof at trial showed that Hagggett, the banker, made loans of nearly one-half million dollars on the basis of fraudulent and worthless accounts receivable invoices pledged with the bank. The bank eventually lost over 1½ million dollars in connection with this and other loans made by Hagggett. Both defendants were sentenced to five years imprisonment and Dahiman was placed on probation for five years to commence at the end of his prison term.

In *United States v. Fassouhis, et al.*, three New Yorkers and the president of an Oklahoma insurance company were indicted for defrauding by mail banks and lending institutions, in a scheme whereby life insurance policies were fraudulently used as collateral in obtaining loans.

In *United States v. Friedland*, a former SEC investigator was convicted and sen-

tenced to two years for obtaining bank loans through false financial statements.

In *United States v. Hsu*, a conviction was obtained for a scheme to defraud \$250,000 by borrowing funds from victims while posing as a friend of Chiang Kai-shek and offering participation in fictitious business ventures. The defendant was sentenced to eight years imprisonment.

In *United States v. Perin*, a whiskey futures merchant was charged with concealing \$140,000 in securities and monies in connection with the bankruptcy of Arden Perin & Co., a brokerage firm.

In *United States v. Sovak*, the defendant was indicted for falsifying bank records to permit overdrafts by Pontiac and Cadillac agents.

In *United States v. Roth*, the defendant was convicted for mail fraud through false solicitation of charitable contributions purportedly for philanthropic use.

J. Attempts to defeat the processes of justice

Attempts to defeat the processes of justice through obstruction, intimidation and the murder of witnesses, perjury, bail jumping and similar means have been discussed in the substantive sections of this report. Use of these means recurs with tragic uniformity. During the period covered by this report for example, 14 bail jumping convictions, and 6 perjury convictions were obtained. Even more serious is the pattern of intimidation of witnesses which is often known and clear even where specific guilt of the particular defendant is difficult to prove.

Requirements for disclosure before trial of information yielding the names of prospective witnesses, for example through bills of particulars stating the participants in transactions, have created severe problems for witnesses in some of these cases.

Lack of adequate provision for any governmental agency to provide protection or emergency housing for such witnesses in case of need has likewise created difficulties. Lack of provision for taking the testimony of a witness who may be threatened or murdered is also a difficulty in such instances.

K. Conclusion.

Both effective and fair law enforcement are essential to the welfare of society and of all citizens. Neither can exist without the other. New ways must constantly be sought to enhance both the effectiveness and fairness of the enforcement of our laws.

Yet law enforcement alone is not enough to secure either order or justice. Positive efforts are needed to deal with deeper roots of conditions which breed crime, disrespect for law, and disregard for the rights of others. This, of course, requires many steps which are outside the scope of this report.

At the same time, Federal law enforcement can help to create a climate within which other efforts to deal with the problems of citizens can occur. In this connection, I believe that every effort must be made to assure that crimes which affect large numbers of citizens because of the pivotal positions of the perpetrators are dealt with effectively. In this category are the activities of organized criminal syndicates, and also the perpetrators of large-scale consumer frauds, securities frauds and other misconduct affecting entire groups of our citizens. It is easy to permit these serious types of crimes to take second place on the enforcement agenda, because it takes painstaking, expensive and persistent investigation to bring the wrongdoers to justice. And once charges are brought, the defendants in such cases have the resources to exploit every means of delay permitted by our procedures.

It is especially the large-scale and continuing type of violation which is appropriate for Federal enforcement efforts. As well as assisting directly in combatting the evils

produced by the illegal activity involved, effective prosecution in these areas can help generate a greater respect for legal standards throughout the entire community.

THE BIG BUSINESS OF ORGANIZED PORNOGRAPHY

The SPEAKER. Under a previous order of the House, the gentleman from Wisconsin (Mr. SCHADEBERG) is recognized for 15 minutes.

Mr. SCHADEBERG. Mr. Speaker, I take the floor this afternoon to direct the attention of my colleagues and the interest of this Nation to a growing problem which threatens the very fiber of organized society—the involvement by organized crime in the highly lucrative business of the preparation, printing, and distribution of pornography.

Organized crime is taking advantage of recently relaxed standards for books, magazines, and movies, and is adding the profits of this business to its coffers and thereby furthering drug addiction, prostitution, loan sharking, and illegal gambling. In so doing, a threat is being posed not only from the material itself, but from the involvement of merchants of crime in respectable businesses, institutions, and commerce.

Ever since the relaxation of legal standards for literature, this Nation has seen a tremendous growth of sexually orientated and erotically arousing material. Most Americans have become aware of this trend through unsolicited mailings of smut material that enters the threshold of the home with the unwanted assistance of the U.S. Post Office.

In order to combat this trend, Congress recently passed legislation designed to curb the pandering of sexually orientated advertisements by allowing the individual to judge whether or not the mail which he receives is objectionable. If he so finds, he can file protest with the Post Office Department and have the distributor take the individual's name off of the mailing list.

What has been the consequence? Nothing, except that the U.S. Post Office now has the largest pornographic file in the Nation.

This law has not been able to stop the mailings because the persons engaged in this business hide themselves behind an ever-changing corporate shield, organizational structure, front men, and post office box numbers. Whenever the business is threatened with prosecution under existing law, the name of the business is changed, a new post office box is obtained, and the material is changed either entirely or by the addition or deletion of some pictures and words.

A possible prosecution against the XYZ Corp. is dropped because the legal entity no longer exists. A possible indictment against alleged obscene mailings fails because the material is no longer printed in the same format. But the individuals and the financial interests are still at work, cranking out new smut and using the same mailing lists which may contain the name of a person who objected to receiving the prior material.

To the person who objected to receiving what he regards as obscene advertis-

ings from Private Collectors, Post Office Box 4660, Los Angeles, Calif. 90046, he must file new objection to similar material received only months later from Love Co., 7472 Melrose Ave., Los Angeles, Calif. 90046. The same is true with Cybertype Corp., New York City 10011, and Stemar Press, Ltd., New York City 10011. Perhaps the occurrence happens with Barbara Martine in Los Angeles 90046 and Wendel & Spears in the same location, Los Angeles 90046.

In recognition of the possible illicit connections of these businesses which pander pornography, on January 28, 1969, I introduced H.R. 4850, a bill designed to require each business engaged in mass mailings which use easily obtainable mailing lists, to state the names and addresses of the directors and chief executives and all individuals who have a financial interest in the organization. Failure to comply would result in a violation of Federal law.

I have also joined with many of my colleagues in introducing H.R. 13478, a bill which would prohibit the use of the U.S. mails to send sexually provocative materials to any home unless the occupant specifically asked for the materials, and to minors in any State having laws prohibiting dissemination of obscene materials to minors.

Both pieces of legislation would place the administrative workload where it belongs; that is, on the purveyor of smut material rather than on the Post Office Department or on the Department of Justice.

The enactment of these needed measures will assist us greatly, but will only scratch the surface of the problem. They will do nothing to curb the shift taking place to bookshops and stores which are springing up on Main Street, U.S.A. Crimes' involvement, which began with mass mailings, is branching out and is pandering the materials elsewhere. The evidence is mounting.

I am concerned about the reports I have of pornography production which stretches across this land of ours, involving literally hundreds of small printshops and publishing firms. I am told that the manufacturing of alleged pornographic materials is spread throughout the printing world so that no producer is too large as to attract the attention of the local citizenry or authorities. This takes organization.

Sheets of materials are produced at one shop, sent to another location for the finishing touches, collected at another shop, collated and bound elsewhere, and finally sent to a large city for mailing and distribution by a front organization. Thus, a photograph produced in the Los Angeles area may be engraved and printed somewhere in the South and distributed throughout the country from somewhere on the east coast.

An authority with whom I have had an opportunity to discuss this matter, a ranking official of the Los Angeles County Sheriff's Department, has information from his investigations which shows that production of this hard-core pornography on a cash-and-carry proposition is centered in the Los Angeles area

of old Haight-Ashbury district and in the New York area of Greenwich Village.

This production work, the inspector tells me, is achieving sophisticated treatment by specialists in the filmmaking and photography professions. Highly skilled technicians are responsible for the production of the films and the photographs and that for subjects, these purveyors of filth are using the addled and confused degenerates of that segment of young people who prostitute their bodies and minds for a few dollars with which to nurture a growing drug habit.

The same ranking officer of this highly qualified police agency informed me that one individual in the San Fernando Valley area, a known and admitted producer of hard-core pornography, has admitted in testimony that his business in 1968 grossed \$10 million. And he is a small operator.

I questioned whether or not this lucrative business was connected with the syndicates and the crime families of this Nation. The officer responded in the affirmative. He told me that the Cosa Nostra were in California with more and more takeovers expected to follow. He said that the pornography business in California alone provides an easy living for organized crime.

This situation as related by the officer is occurring throughout the Nation. I have reports from Chicago where members of the Cook County Sheriff's Department raided adult book store outlets in Chicago, Maywood, Calumet City, and Chicago Heights not only to arrest sellers on charges, but to make arrests based on the discovery that the sellers were in violation of State tax laws and other tax violations. The investigations show that the prime source of the smut that has been moving into Chicago is the crime syndicate.

In Washington, D.C., over the previous weekend police in an organized move against some 19 sellers, made raids on District of Columbia stores. Not only did they confiscate armloads of alleged pornography, but they appropriated the business records of the stores with the intent of discovering the sources and dealings the men arrested had with others in this widespread business. One of the individuals participating in the raid stated that many of the magazines that are being produced are put into circulation for only a month and then are withdrawn to reappear later with new titles.

In Milwaukee, Wis., three moving vans which had crossed the State line from Chicago were found in a parking lot. They were loaded with coin operated viewers containing alleged obscene materials. These moving vans, which were used because of their appearance of a household in transit, and therefore less subject to inspection and regulations than other types of semitrailers, had been rented by one person. Connections—Chicago.

The Racine Police Department in Racine, Wis., which is in my district, has informed me that they are currently conducting a John Doe investigation into a dealer in alleged obscene materials and that the person under investigation is from out of State. They also stated that

the material being produced is shipped from Cincinnati.

In Janesville, Wis., also in my district in Wisconsin, a bookstore was recently opened on the main street by two persons from Illinois. On 3 successive days the store was raided and the materials confiscated. On the day following each raid, the store had been fully restocked and was in full operation. Upon the arrest of the two individuals, a New York attorney was hired. The investigation showed evidence that the lease on the Janesville store was held by a man in Illinois with known underworld connections. This person, upon notice of the arrests, placed immediate calls to Washington, D.C.

This and other evidence gained from an investigation which I have been conducting for several months, and which has included an examination into the distribution of film and books, as well as mail literature, has shown that the iceberg operation of this insidious industry has prevented Congress and the rest of the Nation from determining which laws and which controls we can use against it. This is why I am concerned.

I am extremely worried that our current knowledge of the makeup of the entire crime link is so insignificant that we are fighting an uphill battle by depending upon the small communities against organized pornography. The local police chief, the sheriff, the mayor, and the district attorney do not have the legal apparatus, the technical skill, and the knowledge of their adversary with which to carry on this fight.

Unfortunately, Congress has been approaching the problems which pornography poses to our society through the concept of "obscenity." As a result, our efforts have been unable to stem the tide of smut or to help the local law enforcement personnel.

The legal definition of "obscene" is one that many writers have discussed, but few can agree on its essential nature. Although the Supreme Court has recognized that clearly drawn regulatory legislation which is designed to protect society from the evils inherent in the dissemination of obscene matter is allowable, the nature of the precious freedom of speech under the first amendment makes regulatory legislation in this area very hard to draft. We do not know how to describe it, but we know it when we see it. As a result, we who believe in the freedoms of this Nation are being attacked by those who have little respect for these freedoms.

I suggest, that in order to halt the threat of organized crime into this business, which takes on the guise of the Main Street merchant who becomes lost in the areas of respectability in which it attempts to hide, we need the creation of an ad hoc House committee to determine just how big the big business of pornography has become. With the formation of this committee, with the power to call witnesses, including police officers and businessmen, to Washington in order to examine investigations of alleged pornographic distribution, business records, tax receipts, and any other information, Congress will have the necessary information to unmask this enterprise and

the extent of its operation in this Nation.

On Monday I will introduce appropriate legislation for the creation of this special committee. The intent of this committee will be to examine existing laws to see if they cannot be enforced so as to establish controls over the industry, and to determine if new laws are needed. It will also examine existing laws to determine if they have built-in loopholes through which these purveyors ooze.

America's law-enforcement personnel are waiting in the wings to go after these so-called businessmen. They want to see that the rights of citizens are not being infringed upon as the iceberg level business carries out its enterprise. These law-enforcement personnel need our assistance. Toward this end, I ask for the favorable consideration by the House of Representatives in the formation of the committee, and for the assistance on the part of all Americans in sharing with me the further evidence which is needed to enable a case to be made for the committee's consideration.

I do not intend to convey to this Congress the intent of a witch hunt among the publishers and printers of this country. I do not intend to be accused of wanton harassment against men who are legitimate producers of art pieces and literature. Yet, I will be.

Pornography is taking on the guise of a Main Street merchant, gaining respectability among members of my society, mingling with the community leaders and planners and the dreamers of the future. It is this that I fear the most and it is this that I request Congress guard against.

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

Mr. SCHADEBERG. Yes. I am glad to yield to the gentleman from Alabama.

Mr. BUCHANAN. Mr. Speaker, I want to commend the gentleman from Wisconsin for his leadership in this important matter and say that I share his concern and applaud his efforts.

BIRMINGHAM AND THE BIG RED ONE LEAD THE WAY

(Mr. BUCHANAN asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. BUCHANAN. Mr. Speaker, the announcement last week that the 1st Infantry Division, also known as the Big Red One, is coming home from Vietnam was welcome news across the country and especially in my city of Birmingham, Ala.

During the 1st Division's tour of duty in Vietnam, the people of Birmingham corresponded with and sent Christmas packages to the courageous soldiers of that division. Various community organizations adopted specific units of the division and participated in the units' civic action programs in Vietnam. One organization, for example, supplied needed medical supplies which were dispensed by 1st Division soldiers to South Vietnamese civilians.

Now that the Big Red One is returning, Birmingham residents and those

from throughout Alabama have found another way in which to show their appreciation for the courage and dedication of these men.

Earlier this week, under the sponsorship of the Alabama Junior Chamber of Commerce, a drive was launched to help provide \$1,500 college scholarships for the children of each 1st Division soldier killed in Vietnam.

The Big Red One has already established such a program itself, but the efforts of the people of Birmingham to aid in this very worthwhile project is the first contribution to the scholarship fund from sources outside the 1st Division.

As has been the case before in its long and gallant history, the Big Red One is leading the way with this meritorious project and Birmingham is glad to lead the way in assisting it.

It is our hope that other units of the Armed Forces will follow the example of the 1st Division and that other cities will aid them so that college scholarships can be provided for every child of a serviceman killed in Vietnam.

I would like to commend the people of my district and Alabama Jaycee President Frank Parsons for their fine effort in support of the men of the 1st Division.

THE JAYCEES—50 YEARS OF SERVICE

(Mr. BUCHANAN asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. BUCHANAN. Mr. Speaker, today marks the silver anniversary of an organization which has helped mold the future of this Nation through continual community action—the United States Junior Chamber of Commerce.

This outstanding group of young men has focused its eyes on the future while solving the problems of the present.

Our fine Jaycee organization in Birmingham is just one example which can be seen in every State throughout the Nation. Like the national Jaycees, Birmingham's chapter is also celebrating the 50th anniversary of its founding this year.

The Birmingham Jaycees, with their variety of activities, in my judgment, are highly representative of the efforts on a nationwide scale.

Recently they conducted a survey to pinpoint Birmingham's three largest problems and, as a result of this study, are analyzing these problems and undertaking to present proposals for constructive solutions to the city council.

When hurricane Camille wracked the gulf coast last summer, the Birmingham Jaycees provided aid for victims of that storm.

Annually they host Christmas parties for hundreds of underprivileged children and those in State industrial schools in the Birmingham area. Their efforts during the Christmas seasons have brightened what otherwise would have been a bleak season for many disadvantaged families.

The Jaycees this past year conducted a charity horse show with the proceeds going to the Lurleen Wallace Courage

Crusade, which is a drive to raise money for the construction of a greatly needed cancer hospital in Birmingham.

Just last weekend, the Birmingham Jaycees, under the leadership of their president, A. J. Benintende, assisted with a clean-up program in the city designed to help the disadvantaged help themselves.

Earlier this week the Alabama Jaycees, headed by State President Frank Parsons of Birmingham, launched a drive to assist the 1st Infantry Division, known as the Big Red One, in its efforts to provide \$1,500 scholarships to the children of 1st Division soldiers killed in Vietnam.

This effort, sponsored by the Alabama Jaycees and backed by the 11 Jaycee chapters in the Birmingham area, is just another example of the fine work this organization is doing in my State. Reports I have received indicate many fine community-oriented programs in effect across the country by other Jaycee chapters.

The United States Jaycees and their local chapters are to be commended for their impressive record of past accomplishments and for their efforts to prepare for the future.

THE NEED FOR ASSISTANCE TO THE EDUCATIONALLY DISADVANTAGED

The SPEAKER pro tempore (Mr. PUCINSKI). Under a previous order of the House, the gentleman from Kentucky (Mr. PERKINS) is recognized for 60 minutes.

Mr. PERKINS. Mr. Speaker, again today I will place in the Record responses which I have received to the questionnaire on title I of ESEA. Between yesterday at noon and this morning, I received an additional 93 responses from concerned school officials. Because this is the most current information available with regard to title I, I wish again to share these comments with my colleagues.

Mr. Speaker, the responses today contain no great surprise. Rather, they conform with the responses placed in the Record during the last 2 days. They further substantiate my contention—rather, the contention of school people across the country—that:

First, title I programs and services are desperately needed;

Second, that such programs and services are effective in meeting the needs of disadvantaged children, but that they have been severely limited because of inadequate financing and untimely funding; and

Third, that additional funds are desperately needed and can be effectively utilized.

Mr. Speaker, it is of great concern to me that the record which is being established by the questionnaire is being ignored by some. It appears to me that such persons are more impressed with a few isolated incidents of alleged abuses and misappropriations of funds. The questionnaires, Mr. Speaker, clearly indicate that this indictment of school administrators across the Nation has no basis in fact. And thus, I do not under-

stand the attitude of those who question the judgment of not one or two school superintendents, but several hundred who have responded to the questionnaire. Why today do we question the judgment of those whose judgment we have valued in the past?

It is my deep hope that the Members of this House will not follow those who wish to dismiss with the flick of a hand the evaluations and comments of recognized leaders from congressional districts throughout the country. If we cannot honor the judgment of those to whom we entrust the education of our youth—then, I do not know to whom we can turn.

The basis of criticism has been that the questionnaires do not provide hard data which demonstrates what virtually every superintendent has attested to—that title I is effective in meeting special educational needs of educationally disadvantaged children. Those who criticize ask for reading test results, statistics as to dropouts and follow up on title I students who go on to postsecondary education.

May I respond to these charges with information which I received this very morning in telegrams and telephone calls to my office from State departments of education.

The State department of education in California advised that in the past year in the California ESEA title I program, 27,500 students, or 14 percent, made 1½ or more years' gain in remedial reading programs; 97,500, or 50 percent, made gains of 1 to 1½ years; 51,500, or 27 percent, made gains of 7 months to 10 months per 10-month school year; 18,210, or 9 percent, could not be classified as to specific rate of gain. Prior to ESEA title I, they advised, the average rate of gain for these students was 6 months per 10-month school year.

The Arkansas State Department of Education reports that in the Hughes School District, 200 children, working daily in two reading labs using two special teachers and two teacher aides, showed gains in reading from 1 to more than 2 years in 9 months.

In Pulaski County School District, the average gain last year for title I students who received special help in reading was 2½ grade levels in 9 months.

In the Tyronza School District, children are showing reading gains of from 1 to 3.7 grades in 9 months, as a result of special reading laboratories financed under title I.

A representative of the Washington State Department of Education advises this morning that during the 1968–69 school year in Spokane, 339 title I participants, grades 2 to 6, attained an average growth of 1.78 in comprehension and 1.57 in vocabulary. He also stated that during the same period, in the Lake Washington School District in Kirkland, 85 title I students in grades 2 to 6 achieved average growth of 1.56 in comprehension, and 1.75 in vocabulary. In Prosser, children in all grades 1 to 12 achieved an average growth of 1.2 in title I reading programs. The Washington State official also stated that measurable objectives in all reading improvement programs

funded under title I for fiscal year 1970 reflected an anticipated growth by the local school districts in Washington State from .75 to 1.5 years.

A representative of the New Jersey State Department of Education called just 2 hours ago to state that with regard to achievement of title I participants in remedial reading, they find that in the sampling of some 2,780 children the average growth is approximately 1.1 years. The representative stratified sampling included urban, suburban, and rural school districts.

And from Ohio we learn that in the title I reading programs conducted during school year 1968-69, in which 121,369 children were served, 63 percent achieved more than 1.0 grade level improvement, and 34 percent achieved more than 1.5 grade level improvement.

Mr. Speaker, I must say that the questions raised yesterday and the day before were most surprising to me. For in addition to the information I have just discussed, the record of the first session of the 91st Congress is replete with data and statistics on the effectiveness of title I. Taking into account what was said yesterday and the day before, one would think there were no hearings on the Elementary and Secondary Education Act last year; that there were no hearings on the fiscal year 1970 appropriation bill. Let us turn first to the latter hearing record, and review the testimony of those representing the present administration. In May, the Associate Commissioner of the Bureau of Elementary and Secondary Education advised the House Labor-HEW Appropriations Subcommittee:

Evidence exists of steady progress made in schools located in each of the States and territories which have reported upon their title I activities for fiscal year 1968. For example, California has reported that the average growth of pupil achievement in medium sized and large urban districts ranged from 1 to 2 years for each year of instruction. A gain of 7 months was expected. In Kentucky, the fiscal year 1968 average per pupil expenditure increased to \$143.32 from \$114.76 the previous year. Along with this there was a marked improvement in the academic performance of second and third grade disadvantaged children in the State. One out of three Ohio students participating in all grades of title I programs showed more than 1.5 months progress per month and two of every three revealed more than 1 month of growth for each month in attendance. There are several other reports of title I projects indicating that achievement gains for disadvantaged children during fiscal year 1968 exceeded the records of similar children in previous years and even, in some cases, the achievement of more affluent children.

In the justification materials submitted to the House Appropriations Committee for title I requests, the present administration had this to say:

For the first four years of the program, local State and National evaluation efforts indicate:

(a) Title I programs have prevented many disadvantaged youngsters from falling behind their more fortunate peers in scholastic progress. Where in the past they lost ground each month, youngsters are now improving, sometimes gaining a full month of learning for every month spent in the classroom.

(b) Reading-test data from a sampling of the States indicate that Title I youngsters are attaining higher levels of achievement based upon National testing scores than expected.

(c) The serious dropout rate in Title I schools has decreased, and more poor children continued their education beyond high school in 1967 than they did in 1966.

Turning now to the hearing record of the Committee on Education and Labor, let us review the comments of school superintendents as they presented their evaluations—evaluations containing hard data on the effectiveness of title I.

Dr. Joseph Manch, superintendent of the Buffalo public schools, testified:

I can now state that in Buffalo, and in New York State as a whole, ESEA Title I is effective. The evidence is far from complete, but it indicates that disadvantaged children erasing that disadvantage.

In our largest single project, utilizing nearly \$2.5 million of the \$4.9 million title I funds, 27,000 children, an average of over 1½ years retarded in reading and mathematics, were provided remedial assistance during or after the schoolday. It has been our experience that a 6- or 7-month gain over 10 months in such programs can be expected. These children averaged a gain at the rate of a full year.

In another program—a prekindergarten program cited as one of the State's 10 best ESEA projects and cited further by the Office of Education in "Profiles in Quality Education"—I think you may have seen this report, and this program is cited on page 1. Preschool boys and girls in the target area were exposed to a wide range of educationally and culturally stimulating experience. A pretest and post-test measurement showed a gain of 8 and 9 points in intelligence quotient.

Although Dr. Manch did not cite additional hard data, I should like to continue with his statement for just a moment as his next paragraph is most pertinent to the present controversy.

These are so-called hard data indicating effectiveness. They make no reference to the anecdotal, observational, and other subjective judgments of teachers, pupils, and parents which, though they are exhilarating, highly encouraging, and useful for the professional educator, have become suspect by lay people and, hence unpopular to the report.

Let us review the statement of Dr. Paul W. Briggs who indicated to the committee the effectiveness of title I programs in the Cleveland public schools as follows:

However, the data we have been able to gather do indicate a very hopeful trend. For example, there has been a significant consistent gain in reading skill among pupils in our reading improvement projects; boys particularly have shown strong improvement. One good example here is that during the past 2 years the number of books taken home by children from our libraries has increased, in our target area schools, by over 60 percent. In fact, last year the children in the inner city of Cleveland took home over 1,300,000 volumes out of our library. This is great.

Children who have participated in our prekindergarten project have performed in kindergarten and first grade well beyond the rates of comparable children without such services. Headstart is working.

In a special project for seriously intellectually underdeveloped though not mentally retarded children between 5 and 8, there was

an increase in IQ from five to 19 points for one-third of the children participating.

Children in remedial mathematics groups have shown significant gain as compared to similar children not receiving such special attention. We now have a group of 30-odd mathematicians, specialists in the elementary schools, that move in the areas where we have our greatest problems and work especially with those children.

At the senior high school level, schools receiving title I services experienced a 10-percent decrease in the dropout rate last school year, as compared to the preceding year.

One of our most impressive results has been achieved in our job development project where nine out of every 10 participants secured full-time employment in Cleveland business and industry. We have over 100 businesses who have opened their doors to the Cleveland inner-city high school graduates. We followed this group 1 year after their placement to see what had happened to them. In 90 percent of those placed, 1 year later they were still on the job and half of those placed on jobs had received promotions.

Dr. Shedd, superintendent of schools for Philadelphia, evaluated the effectiveness of title I in his schools as follows:

Other impacts, of course, do occur system-wide. At the Sayre Junior High School in Philadelphia, for instance, the principal and staff, urged on by a community weary of watching its children progress from grade school to high school without learning how to read, established a basic skills center last year, using title I funds. In 1 year the center served some 200 youngsters with severely retarded reading levels, and one semester the average pupil enrolled in this program, improved almost three levels in reading as measured by standard achievement tests.

Teachers as well as students and their parents have been really amazed at the outcome. Seven teachers have volunteered their services each afternoon, and there is a waiting list of other teachers anxious to try their hand at this after-school experience on top of the regular day experience.

In North Philadelphia, to cite another illustration, the combination of a dynamic principal and modest increment of title I funds for curriculum and staff development has completely turned around Simon Gratz High School. Only 3 years ago Gratz was widely regarded, and justifiably so I believe, as the worst school in the city. Three years ago only 13 students from a graduating class of 600 went from Gratz to college. The dropout rate at the school was in excess of 40 percent. Rate of attendance was the lowest in the whole city.

Last year, 168 Gratz graduates went to college—an improvement of 1,300 percent. The dropout rate has been halved. Teachers are vying for transfer assignments in rather than out. And virtually all 4,000 students are wearing large "Gratz is Great" buttons in their lapel.

The Gratz achievement is mirrored across the city in many of our high schools by the results of our motivation program. This title I program, which is costing \$470,819 this year, operates in 10 inner city high schools. Its aim is to provide low achieving children who do have potential with the supports and the extra stimulation they need to go on to college. In the last 2 years alone, 2,400 motivation pupils have gone to higher education.

This program has played a key role in increasing the percentage of high school graduates going to college or advanced training from 28 to 38 percent, an increase of 10, all in 3 years. And it has spurred new collaborative relationships with business and industry as well as the universities and cultural and scientific institutions in the whole metropolitan area.

From Los Angeles we heard the following:

What has it done? Has it been any good? The California State Department of Education evaluation of title I projects, identified this as an exemplary project in California. The senior high school students averaged more than 1 year of growth on the reading tests used for evaluation, the Gates-MacGinitie reading test. The average growth of students in reading improvement classes was 1.3 a year. You remember the average expected growth, the average observed growth is 0.7. We have doubled that. Basic reading students averaged 1 year's growth.

Greater gains were demonstrated by various schools on various subsections of the reading tests. For example, in one group of schools the students improved by 2.9 years in reading vocabulary while the students in reading improvement classes showed a growth of 2.5 years in reading vocabulary. We found that the junior high school students did not score as well as the senior high school students. Junior high school students averaged, on the main, 0.9 years. Parent responses to a questionnaire that we sent to them showed that 74 percent noticed improvement in their children's study habits, 80 percent of the parents said their children's attitude toward school had improved, and 78 percent thought their children learned more than they had during previous years.

From St. Louis:

Two years ago we found that our slowest group of seven, eight, and nine year old children were achieving 70 per cent of normal progress each year in the basic skills of reading, language, and arithmetic. These children were in classes of 35, too large for youngsters who need as much personal attention as these children do. With the help of Title I funds, we placed 556 of these children in rooms with only 20 children, taught by a teacher who had been trained to work with them individually in overcoming their learning deficiencies.

Within a period of a year, these children were able to improve their rate of learning 40 per cent over their previous rate.

From Fort Worth, Tex.:

A comparison of pre-test and post-test results on a group of 2454 students in our preschool program showed an average gain in mental age of nine months in a seven-month period.

I should point out that normally they show a three-month gain because of these lack of opportunities for enrichment experiences.

In a similar comparison of youngsters in our secondary remedial reading program, pupils showed a vocabulary growth of twelve months, an increase in comprehension ability of 13 months, and an increase in speed and accuracy of 14 months in a 9-month period. It is also interesting to note that these students' average educational growth previously was only eight months a year.

In the five-week summer club program this past summer, the participants had an average reading growth of six months and an increased math proficiency of four months.

Our fourteen visiting teachers, through home visitation and personal counseling, were able to readmit 30 per cent of our hard-core Title I dropouts.

This recitation of the hard data now being requested came not only from large school superintendents, the superintendent of Carnegie public schools in Oklahoma, a school system enrolling only 860 students, said this:

A kindergarten is being financed from Title I funds and our elementary teachers are enthusiastic about the difference it makes in the entering first grade students. The Indian students, coming from homes slightly different in culture, are greatly benefited by the kindergarten classes. Last year's class has an average grade placement score of 1.6 on a standardized reading readiness test given on May 10.

A special education class for the mentally handicapped in grades 1-3 is financed by Title I funds. This program has been highly successful in our school with some students making gains of more than one grade during a year as shown on the California Achievement Test. The class is kept small and the students are given plenty of individual attention.

We have a counseling program in both our elementary and secondary school financed partially by Title I funds. The counseling program has been especially effective with our Indian students. The counselor has been effective in helping keep the Indian students in school and in giving them educational and vocational guidance. He reports that 65% of our graduating Indian students continue their education beyond high school. In our top three grades, we had 5, 14, and 6 students drop out of school the past 3 years. This is a drop-out rate of only 12.5%.

A developmental reading program is financed in our school by Title I funds. The reading program is carried on at all levels of our school. As a result of this program, the means for all our grades for reading grade placement on the California Achievement Test are at or near the national averages, whereas several years ago, achievement tests showed our school low in reading achievement.

A school official from Floyd County schools in rural Kentucky advised the committee:

Our major program effort has been one of improving reading, which, we feel, is paramount to the overall success of a child in school. We have been advised that children in remedial reading gain slightly less than 7 months within a 9¼-month school year in the State.

Tests records in Floyd County for the school year of 1966-67 show that children gained 9 months in special reading classes and 7 months in the regular classroom.

In the school year of 1967-68, those children who had the services of a special reading teacher for both semesters gained 11 months, and those children who had the services of the special reading teacher for one semester and then the services of the regular classroom teacher for the other semester gained 9 months.

Mr. Speaker, I have quoted only a part of the five volumes of hearings compiled by the Committee on Education and Labor on the Elementary and Secondary Education Act during the last session. A review of all of the testimony will reveal still greater evidence, statistics, reports, and observations to substantiate the comments of school superintendents this week.

One of the questionnaires to be inserted today is from the superintendent of schools from Portland, Ore. To the question of whether title I programs are effective, he responded:

Yes, progress was slow initially, but our evaluations indicate substantial progress is now being made, especially in the basic skills of arithmetic and reading.

As my colleagues review the questionnaires, they will see that the evaluation and enthusiasm for the title I program

voiced by Dr. Blanchard—a man responsible for the education of close to 75,000 students—is shared almost to a man by responding school officials.

Before closing, let me just mention one other response to be inserted today. It is from a school official with the Bibb County board of education in Macon, Ga., a school system enrolling more than 33,000 students. The respondent states:

As an educational leader for more than 18 years working directly with the disadvantaged as a teacher, counselor, principal and administrator, the effective use of Title I funds has enhanced quality education for our children.

Mr. Speaker, I do not question the validity of his further response that "Yes, positive results have been noticed in the achievement of all children who participated in title I programs and activities." And I do not think that this Nation can afford to question, as some are now doing, the validity of statements from experts like this school official.

The questionnaires referred to follow:

RESPONSE OF DR. JOHN F. STEPHENS, SUPERINTENDENT, ST. VRAIN VALLEY PUBLIC SCHOOLS, LONGMONT, COLO., JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: 345.

What is the ADA in your school district grades K-12?

Answer: 9642.9.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968 \$82,194, 1969 \$77,596, 1970 \$79,945.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 \$100,000, 1971 \$100,000.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: They have been essential in our district since enrollment growth and increasing costs have made it high impossible to start new programs.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Very definitely. I just wished the programs could be more comprehensive in scope and available to all disadvantaged children within the district.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: I have personal knowledge that our Title I funds are being used in accordance with ESEA guidelines.

RESPONSE OF MARVIN WARD, SUPERINTENDENT WINSTON-SALEM/FORSYTH COUNTY, WINSTON-SALEM, N.C., JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: 2,817.

What is the ADA in your school district grades K-12?

Answer: 45,347.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: A definite step in the right direction but we have not yet reached our ultimate goal.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: New York State regulations are "tight" and provide a good framework in an effort to direct the program in the proper channels. However, can you do an effective job in planning when, as now—half way through the school year, you do not know what your budget figure is?

RESPONSE OF MR. R. N. STATEN, SUPERINTENDENT, BROWARD COUNTY PUBLIC SCHOOLS, FORT LAUDERDALE, FLA., JANUARY 22, 1970
(Prepared by: James Gardener)

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: 7,443.

What is the ADA in your school district grades K-12?

Answer: 104,398.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968 \$1,372,530, 1969 \$1,278,054, 1970 \$1,182,092.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 \$1,000,000, 1971 \$1,500,000.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Yes.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Yes.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: Inadequate funding and late notification are the greatest obstacles in the path of effectively reaching the disadvantaged.

RESPONSE OF CHARLES F. GARD, NEWARK, OHIO, JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: 573.

What is the ADA in your school district grades K-12?

Answer: 10,278.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968, \$110,533; 1969, \$112,871; 1970, \$96,083.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970, \$15,000; 1971, (?).

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Yes.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Yes.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

RESPONSE OF GERALD CARROLL, DISTRICT NO. 2 AND JOHNSON COUNTY HIGH SCHOOL DISTRICT, BUFFALO, WYO., JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: 122.

What is the ADA in your school district grade K-12?

Answer: 1,161.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1938, \$16,776, District 2 only; 1969, \$20,555, District 2 and JCHS; 1970, \$19,487, District 2 and JSCH.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 \$40,000, 1971 \$60,000.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Yes.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: I think so in this community. More needs to be done through.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: Individualizing instruction, in my opinion, is one of the best ways to help the disadvantaged. In order to do this you can not separate the classification of pupils; you work with all students. Therefore I do not feel that the money can always be wisely spent just for the disadvantaged. At least this is the case in small districts since the disadvantaged and the others are all in the same school.

RESPONSE OF LESTER L. GRILE, SUPERINTENDENT, FORT WAYNE, IND., JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: 5,871.

What is the ADA in your school district grades K-12?

Answer: 41,044.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968, \$485,685.32; 1969, \$459,973; 1970, \$423,490.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970, \$75,000 to restore reduced funds; 1971, \$300,000 for inner-city preschool programs.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Yes.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Yes, to extent of funding.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: The Title I ESEA funds used in our Target Area Schools are providing extra services for the inner-city, educationally deprived pupils and for them only.

RESPONSE OF UNION FREE SCHOOL DISTRICT, OSSINING, N.Y., JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: 300.

What is the ADA in your school district grades K-12?

Answer: 324, November 1969; 468, December 1969.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968, \$67,626; 1969, \$70,269.66; 1970, \$96,398.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970, \$50,000; 1971, \$50,000.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Evidence has proven locally that Title I programs have met some of the needs however the indefinite funding allocation makes it difficult to plan and follow through.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Yes, in most instances.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: Our experience agrees with the first statement. Recruitment and selection of students for the program and the purchase of well trained personnel has allowed our district to reach the hard core disadvantaged.

RESPONSE OF HAMILTON R. BAILEY, SCHOOL ADMINISTRATIVE DISTRICT NO. 8, VINALHAVEN, MAINE, JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: 75 directly—all to some extent. 244 enrolled in SAD No. 8.

What is the ADA in your school district grades K-12?

Answer: 238.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968 \$5,670, 1969 \$4,943, 1970 \$4,805, 1971 no allocation as yet.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 \$5,000, 1971 \$5,000. (Total of \$10,000, 1971.)

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Yes.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Yes, except too limited in what they can be used for.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: Could use funds for construction of vocational space and library space.

RESPONSE OF TERRELL PONDER, SUPERVISOR, JOHNSON CITY PUBLIC SCHOOLS, JOHNSON CITY, TENN., JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: 813.

What is the ADA in your school district grades K-12?

Answer: 6,400.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968 \$61,001.60 + \$84,680.73 + \$12,987.32 = \$158,669.65; 1969 \$144,158.19; 1970 \$129,823.03.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 \$28,846.62, 1971 \$40,000.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Yes.

Do you regard your present Title I programs as effective in meeting special education needs for educationally disadvantaged children?

Answer: Yes.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: Title I is a very fine program well planned and working effectively. Our program is very strong on serving the 5 year old boys and girls in a pre-school program. More money is needed to followup these same children.

RESPONSE OF M. A. ULLAND, UPHAM PUBLIC SCHOOL, UPHAM, N. DAK., JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: It is so few—it is not worth looking up.

What is the ADA in your school district grades K-12?

No answer.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

No answer.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

No answer.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

No answer.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

No answer.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: Our school district wouldn't suffer if it was cut out. It appears that County Seat towns are getting Federal money. We do get on the school lunch program.

RESPONSE OF OTIS M. ELLENBURG, JR., ASSISTANT SUPERINTENDENT, GAINESVILLE, GA., JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: 300.

What is the ADA in your school district grades K-12?

Answer: 3,561.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968 \$165,158, 1969 \$147,201, 1970 \$106,090.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 \$100,000, 1971 \$100,000.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Yes.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Since most of our funds are spent on pre-school programs for disadvantaged children, I believe special needs are being met.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: Many needs are not being met due to inadequate funds from all sources—state, local, and federal. If local school officials could know in advance of actual financing, we could do more effective planning. I know this system can use Title I ESEA funds for our students.

RESPONSE OF EARL A. WOOD, ASSISTANT SUPERINTENDENT, No. 1 ALBANY COUNTY, LARAMIE, WYO., JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: 109.

What is the ADA in your school district grades K-12?

Answer: 4,042.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968 \$41,746, 1969 \$45,820, 1970 \$37,941.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 \$15,000, plus capital outlay for facilities; 1971 \$15,000.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Yes.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Yes.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: Our funds are meager but they are helping us to enable many children to read and thus further their education with some hope of success.

RESPONSE OF MR. WALTER A. COMMONS, SPRINGFIELD SCHOOL DISTRICT No. 19, SPRINGFIELD, OREG., JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

No answer.

What is the ADA in your school district grades K-12?

Answer: 9,638.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1967-68, \$101,825.36, 1968-69, \$106,508.00, 1969-70, \$100,708.00.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: An increase of 35% would allow for a maximum effort in the regular program and allow a much needed summer program; 1970, \$35,000, 1971, \$40,000.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Title I funds are much needed—in fact, essential—if District No. 19 is to provide a maximum effort in working with disadvantaged children. Statistics on children from low-income families, welfare lists, those working below grade level, and the 860 children on free lunch in the District point out the need.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: An evaluation from the buildings where Title I funds are being used indicates that our Title I program is effective. The demand is for more services from this program, not less.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I

ESEA. Your brief comments on these contentions would be appreciated.
No comment.

RESPONSE OF DR. ARDELL L. FEELEY, ASSISTANT SUPERINTENDENT, ALTOONA, PA., JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: 1,500.

What is the ADA in your school district grades K-12?

Answer: 14,000.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968 \$274,151.37, 1969 \$258,475.90, 1970 \$226,586.47.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 \$100,000, 1971 \$150,000.

In your judgment, do you believe that the Title I programs are needed to meet special needs of educationally disadvantaged children?

Answer: Yes.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Yes.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: We are not effectively serving the disadvantaged due to lack of funds. If we concentrate our funds on one or two locations many deserving students are not served since our disadvantaged are not in "pocket" areas but are distributed throughout the city.

RESPONSE OF GEORGE M. BALLARD, SUPERINTENDENT, HARRIMAN CITY SCHOOLS, HARRIMAN, TENN., JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: 399.

What is the ADA in your school district grades K-12?

Answer: Average for the first three months: 2,608.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968 \$64,497.38, 1969 \$59,195.39, 1970 \$53,309.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 \$25,000, 1971 \$40,000.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Yes, Title I funds are absolutely necessary to meet some of the needs of the educationally deprived children in our system.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Yes, we feel our present Title I programs are effective in meeting certain special needs, but it does not go as far as it should.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reach-

ing the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: Since first receiving Title I funds in this system, all school personnel have become more aware of the educational needs in our school and community, and there is a greater demand for meeting this need. Our program could certainly be improved and expanded by use of additional funds. We have designed our programs to help meet the needs of the educationally deprived children.

RESPONSE OF HENRY A. WHITE, ALLENDALE COUNTY, ALLENDALE, S.C.

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: 1,845.

What is the ADA in your school district grades K-12?

Answer: 2,692.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968 \$197,856, 1969 \$292,045, 1970 \$241,583.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 \$150,000, 1971 \$100,000.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Yes.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Yes.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: Allendale County needs more funds. The school population is 70% Negro, a majority of whom are educationally disadvantaged. This is a poor (financially) school district with little industry.

Sincerely,

CARL D. PERKINS,
Chairman.

RESPONSE OF FORREST L. FRAZIER, SUPERINTENDENT OF BEDFORD COUNTY SCHOOLS, BEDFORD, VA., JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: Over 1,000.

What is the ADA in your school district grades K-12?

Answer: 7,200.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968 \$200,000, 1969 \$180,000, 1970 \$188,000.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 \$20,000 or more, 1971 \$20,000 or more.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Yes.

Do you regard your present Title I programs as effective in meeting special education need of educationally disadvantaged children?

Answer: Yes.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

No comment.

RESPONSE OF DR. JAMES F. REDMOND, CHICAGO PUBLIC SCHOOLS, CHICAGO, ILL., JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: Fiscal 1969, 63,641; fiscal 1970, 53,002.

What is the ADA in your school district grades K-12?

Answer: As of September 1969, 515,667.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: (Basic grant) 1968 \$23,396,381.34 1969 \$21,750,487.50, 1970 \$20,235,046.00.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 \$6,000,000, 1971 \$35,000,000.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Title I programs are most assuredly needed to meet the special needs of educationally disadvantaged children; however, guidelines should be broad enough to enable the local school district to make a direct attack upon the problems.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Yes; however, it can be more effective with a modification of guidelines.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: Funding is inadequate to meet needs; however, the full and effective use of the funding now available is limited by the literal interpretations of federal guidelines to the extent that that questionable legality of giving Title I service to all pupils in any one classroom in any one grade in the city at any one time on the basis that aid would not then be categorical; further, any shift in the use of local funds for more effective utilization jeopardizes Title I programs on the concept of supplanting rather than supplementing programs.

RESPONSE OF JOHN E. ALBRIGHT, SALT CREEK SCHOOL DISTRICT No 48, JILLA PARK, ILL.

How many children in your district are benefitting from education programs funded under Title I of ESSA?

Answer: None at present. We had program in 1967, 1968, 1969.

What is the ADA in your school district grades K-8?

Answer: 1,150.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1969 \$3,171.25.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 \$10,000.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Something is needed!

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Some needs—but not all.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: I believe in direct aid to schools, without any strings attached.

RESPONSE OF H. B. ASHBAUGH, SUPERINTENDENT, VERMILLION, S. DAK., JANUARY 22, 1970

How many children in your district are benefiting from education programs funded under Title I of ESEA?

Answer: 115.

What is the ADA in your school district grades K-12?

Answer 1,451.1 in the 1968-69 school term.

What was the amount of your ESEA Title I grant in each of the following fiscal years? Answer: 1968 \$30,604.70, 1969 \$32,589.00, 1970, \$30,146.00.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 \$500, 1971 \$1,000.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Definitely. The use of Title I funds in S. Dak. have not been misdirected in my opinion.

Do you regard your present Title I program as effective in meeting special education needs of educationally disadvantaged children?

Answer: Yes.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: Title I funds are being used effectively in S. Dak. We had to limit our program this year.

RESPONSE OF J. H. MCBRIDE, BARTLESVILLE, OKLA., JANUARY 22, 1970

How many children in your district are benefiting from education programs funded under Title I of ESEA?

Answer: 410.

What is the ADA in your school district grades K-12?

Answer: 9,228.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968 \$60,797, 1969 \$52,857, 1970 \$48,770.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 \$20,000, 1971 \$20,000.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Yes, if used properly.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: To some extent.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: I think, in general, Title I funds are used effectively in the areas for which they were intended. I also think money is being wasted in some of the other Title programs. Specifically in innovative programs, research and testing, training of teachers, and Title III NDEA.

RESPONSE OF HENRY A. BARBARICK, SUPERINTENDENT, MINGUS UNION HIGH SCHOOL, DISTRICT NO. 4, JEROME, ARIZ., JANUARY 22, 1970

How many children in your district are benefiting from education programs funded under Title I of ESEA?

Answer: 86.

What is the ADA in your school district grades 9 through 12.

Answer: 410.

What was the amount of your ESEA Title I grant in each of the following fiscal years? Answer: 1968 \$5,631, 1969 \$4,039.42, 1970 \$4,514.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 \$2,000, 1971 \$7,000 total.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Yes—it helps individualize the learning process.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Yes—reading improvement and study habit improvement.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

No comment.

RESPONSE OF L. C. McARTHUR, JR., SUPERINTENDENT, SUMTER SCHOOL DISTRICT No. 17, SUMTER, S.C., JANUARY 22, 1970

How many children in your district are benefiting from education programs funded under Title I of ESEA?

Answer: 5,483.

What is the ADA in your school district grades K-12?

Answer: 10,918 ADA, 11,602 Enrollment. ADA=94% of Enrollment.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968 \$616,405, 1969 \$623,700, 1970 \$475,025.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 \$250,000, 1971 \$300,000. (\$500,000 if pre-school commitments are to be met.)

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Yes. School districts have been aware of the needs of these children, but the cost of necessary program have been too great for the local tax base.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Yes. Additional funds would permit more effective programs for these children. In-depth and follow-up activities would help assure greater success.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: Inadequate funding limits the effectiveness of programs. Our system is committed to the fact that in order to make a difference intervention with these children must be made early. We have determined that there are about 300 each 3, 4, and 5-year-old children who need pre-school. We are presently offering this opportunity to approximately 450 or one-half this number. More funds would permit our meeting our goal earlier thus salvaging some children we are presently missing. Uncertain funding is a major problem for most school systems.

RESPONSE OF FRANK ROSE, SUPERINTENDENT, WOLFE COUNTY SCHOOLS, CAMPTON, KY., JANUARY 22, 1970

How many children in your district are benefiting from education programs funded under Title I of ESEA?

No answer.

What is the ADA in your school district grades K-12?

Answer: 1,690 (1,775 membership.)

What was the amount of your ESEA Title I grant in each of the following fiscal years? Answer: 1968 \$225,595, 1969 \$204,816, 1970 \$182,675 (tentative).

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970, \$50,000, since the greater part of year is gone; 1971 \$100,000.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Definitely & Critically. Words cannot express our need in Wolfe County, Kentucky.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Very Definitely.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and

are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: Inadequate funding is no doubt the greatest obstacle in more effectively reaching the disadvantaged in Wolfe County, Kentucky. Without observation at first hand the needs cannot be described.

RESPONSE OF DR. WES MEASEL, DIRECTOR OF TITLE PROGRAMS, CANTON PUBLIC SCHOOLS, CANTON, OHIO, JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I ESEA?

Answer: 1,789.

What is the ADA in your school district grades K-12?

Answer: 21,395.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968 \$326,424, 1969 \$325,262, 1970 \$291,786.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 \$90,000 to \$100,000, 1971 same.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Very definitely.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Yes.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: This apparently is true of at least several large cities and especially some States such as Mississippi (and undoubtedly others). The funds are necessary; some tighter controls also.

RESPONSE OF MRS. LOYD SHAW, TITLE I COORDINATOR, LANIER COUNTY, LAKELAND, GA., JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: 275.

What is the ADA in your school district grades K-12?

Answer: 1,364.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968, \$84,168, 1969, \$78,871, 1970, \$58,813.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 \$35,000, 1971 \$50,000. (Needed specifically for summer programs.)

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Yes.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Yes.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize

extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: With as many requirements as are placed upon the spending of Title I funds, it seems impossible that funds are being misdirected. Certainly, our school system could much more effectively reach the disadvantaged through more adequate funding.

RESPONSE OF ROBERT W. BLANCHARD, SUPERINTENDENT, PORTLAND PUBLIC SCHOOLS, PORTLAND, OREG., JANUARY 21, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: 6,600.

What is the ADA in your school district grades K-12?

Answer: 74,439.4; includes special Sept.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968 \$1,649,000, 1969 \$1,401,000, 1970 \$1,327,534.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 \$250,000, 1971 \$1,000,000.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Absolutely. Through a combination of Title I, State, and local funds this district is able to expend roughly twice the amount per pupil in disadvantaged areas, and our experience indicates that every cent is required to make programs of this kind truly effective. Title I funds alone will not do the job, but their contribution to the total effort is essential.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Yes. Progress was slow initially, but our evaluations indicate that substantial progress is now being made, especially in basic skills at arithmetic and reading. The key to improvement appears to be organizational arrangements and curricular modifications that lead to more effective individualization in teaching. Higher per pupil costs are essential to provide this type of instruction.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

No comment.

RESPONSE OF ROBERT BULLETT, SEYMOUR COMMUNITY SCHOOLS, SEYMOUR, IND., JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: 300.

What is the ADA in your school district grades K-12?

Answer: 4,050.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968 \$48,450, 1969 \$41,775, 1970 \$40,963.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: School systems need additional

funds but there should be better ways of distributing and applying federal funds than through the ESEA programs.

In your judgement, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: No. Schools have been meeting these needs long before Title I.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Partially.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: Each community has different problems. Funds should be available but local boards and administrators should be entrusted to use funds to meet local needs.

RESPONSE OF LEN BRITTELLI, BELOIT CITY SCHOOL DISTRICT, BELOIT, WIS., JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: 263.

What is the ADA in your school district grades K-12?

Answer: 9,797.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968 \$98,000, 1969 \$101,000, 1970 \$108,450.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 \$100,000, 1971 \$125,000.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Yes, if utilized properly.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Yes.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment—

RESPONSE OF DR. J. M. HANKS, YSLETA INDEPENDENT SCHOOL DISTRICT, EL PASO, TEX., JANUARY 22, 1970.

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: 2042 directly and many others benefit from carry over of the Title I Program.

What is the ADA in your school district grades K-12?

Answer: 28,599.33 as of November 21, 1969.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968 \$327,565, 1969 \$302,096, 1970 \$271,609.

Summer Program: 1968 \$188,755, 1969 \$199,475.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 \$500,000, 1971 \$500,000.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Yes.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Yes.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: The greatest obstacle in the path of reaching the disadvantaged is inadequate funding. Also, funds are coming so late in the school year that the administration is handicapped in planning on a firm basis.

RESPONSE OF HOWARD S. VOLDEN, SUPERINTENDENT, AUDUBON PUBLIC SCHOOL DISTRICT 21, AUDUBON, MINN., JANUARY 22, 1970

How many children in your district are benefiting from education programs funded under Title I of ESEA?

Answer: 41.

What is the ADA in your school district grades K-12?

Answer: 330.7.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968 \$14,690, 1969 \$13,510, 1970 \$12,118.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 okay, 1971 okay, for the program we have now, but we would like to do more.

In your judgement, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: As a whole we are trying, rules, guidelines, and red tape do not give the leeway to conduct the best programs.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: We have a two phase program in math and reading. We are doing a good job for a few, to me, this program is only a start and should be carried on to a greater degree.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: We need this program. I feel we can use more money. We are hemmed in when adapting programs for our school and the effectiveness of our program is very hard to test to show accomplishments. Many more things than grade accomplishments should be considered attitudes, getting along, etc.

RESPONSE OF DR. J. H. LAWTER, DIRECTOR—SPECIAL AND AUXILIARY SERVICES, OKLAHOMA CITY PUBLIC SCHOOLS DISTRICT I-89, OKLAHOMA CITY, OKLA., JANUARY 22, 1970

How many children in your district are benefiting from education programs funded under Title I of ESEA?

Answer: 9 to 12,000.

What is the ADA in your school district grades K-12?

Answer: 68,706.4.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968 \$1,764,948, 1969 \$1,727,085, 1970 \$1,606,229.

What additional funds if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 \$3,000,000*, 1971 \$4,000,000*.

*These amounts would be enough to make an impact on the 9,000 AFDC cases we have and help some other poverty children with education problems, too.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Definitely.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Yes, however, "proof" in terms of academic achievement as required by certain Washington Bureaus can not be made available, yet, because of the slow process of overcoming long endured disadvantage.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: Funding is a problem. First, it is inadequate. In comparison, other agencies (particularly Community Action Programs, Private Industry, and Higher Education) get \$1,500 to \$5,000 per each individual in programs designed to overcome poverty effects. The public schools, on the other hand, are expected to take about \$150 to \$200. (We have never received more than \$180) to do the same kind of tasks, and we are expected to be more effective. Second, funding is generally too late. We have had to return thousands of dollars because the funding process did not get the money to us in time to be used. The policy of service more disadvantaged students, for we cannot, under our State laws, hire personnel or make commitments until funds are in our accounts. Since we hire personnel from one to six months before the school year starts, late funding causes Title I projects to have to use leftovers.

As to the effective utilization of extra funds, the schools of the nation have the experience of doing a good job on limited budgets and can challenge any critic to do as effective job using the same amount of funds and serving the same number of students which the schools legally and morally have an obligation to serve. The schools are doing an effective job and can change to be more effective if permitted.

RESPONSE OF BAYONNE BOARD OF EDUCATION, JAMES H. MURPHY, BAYONNE, N.J., JANUARY 22, 1970

How many children in your district are benefiting from education programs funded under Title I of ESEA?

Answer: 1969, 1,070 students; 1970, 350 students.

What is the ADA in your school district grades K-12?

Answer: 9,053.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968 \$196,000, 1969 \$168,458, 1970 \$102,898.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 \$66,000, 1971 \$96,000.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Absolutely! These programs have enabled the school district to provide individualized instruction to carefully selected Public and Parochial school children with excellent results. Regression will be tragic.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: The programs have been effective. However, the low funding level preclude the inclusion of several hundred educationally disadvantaged children in early elementary school. Also, the yearly uncertainty concerning the programs hampers effective planning.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: The Bayonne school district has been forced to curtail a substantial part of the Title I program because of a \$66,000 cut in federal funds. As a result, several hundred children will be deprived of instruction. Every child in the program is in severe need of individualized remedial instruction and special services. Last year, funded at the higher level, we could not provide instruction for all eligible children. The Title I staff is demoralized by the constant games being played with the education of these children.

RESPONSE OF C. HINES CRONIN, DUVAL COUNTY, JACKSONVILLE, FLA., JANUARY 22, 1970

How many children in your district are benefiting from education programs funded under Title I of ESEA?

Answer: 9,644 pupils are benefiting (12,805 are eligible for benefits).

What is the ADA in your school district grades K-12?

Answer: 116,539 for October, 1969.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968 \$2,392,809, 1969 \$2,209,778, 1970 \$1,967,962.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 \$276,796, 1971 \$3,559,790.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Yes. Funds made available under ESEA Title I provide for the essential supplementary education for those children whose educational deprivation stems from poverty by striking at both the roots and consequences of disadvantaged.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Yes. ESEA Title I supplementary

efforts have favorably influenced the education achievement of recipients of the services. However, additional funds would provide for a more concentrated program to meet those needs of the disadvantaged.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: Extra funds can be effectively utilized by this county to fully implement the total program planned for ESEA Title I target area. The rising school costs coupled with cutback in ESEA Title I funds, however, have resulted in a reduction of services available for the disadvantaged. In addition, effective program planning and implementation is dependent upon information regarding the amount of funds to be available and receipt of funds at the appropriate time.

RESPONSE OF S. CLAY COY, SUPERINTENDENT, SCHOOL DISTRICT NO. 271, COEUR D'ALENE, IDAHO, JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: Hard question to answer since we have duplication in numbers. Quite a few might be enrolled in two or three different phases of the project. Approximately 3,000 are directly benefitting and the rest benefit from side-effects of the main projects.

What is the ADA in your school district grades K-12?

Answer: 1969-70 school year, 4,943, School District No. 271; 750, private schools (church).

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968 \$59,040, 1969 \$58,962, 1970 \$50,170.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 \$25,000, 1971 \$50,000—if we can know in time for adequate planning.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Yes—We have done more to improve the quality and quantity of education for the disadvantaged children under Title I than was ever accomplished under any other program. The district is one of the poorest in Idaho and lacks funds to take care of the disadvantaged pupils.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Yes—I believe that most school districts are using Title I funds to improve educational opportunities for the disadvantaged children. The method of funding leave something to be desired. Districts lack time to properly plan the use of the funds. Congress is slow in acting.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: Anyone can take isolated cases and build a defense for his belief. If Congress would act and give the schools adequate time for planning the use of the funds you

would see many excellent projects develop that are not doing the job at the present time.

RESPONSE OF MR. CHARLES E. JONES, SUPERINTENDENT OF SCHOOLS, MANITOWOC PUBLIC SCHOOLS, MANITOWOC, WIS., JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: Currently there are 210 pupils receiving service in our Title I program. We anticipate serving another 80 students in our planned summer programs.

What is the ADA in your school district grades K-12?

Answer: The most recent figure (July 15, 1969) is 6,922.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968, \$87,230; 1969, \$92,597; 1970—At this time we do not know. We were told by the Wisconsin Dept. of Instruction not to encumber beyond \$65,998.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970, \$26,500.00*; 1971, \$30,000.00*. * This is based on the \$65,998.00 which the Wisconsin Dept. of Instruction has indicated as our present allocation.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Yes. This legislation provides a school district with funds that can and must be used on a concentrated population.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Yes. We have indications that the children we have served in this program are benefitting from the special services which we are providing.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I, ESEA. Your brief comments on these contentions would be appreciated.

Comment: The greatest problem which we face is not knowing the level of funding soon enough to plan and hire the staff for the programs which we would like to operate. We are halfway through the present school year and do not know what our allocation will be for this year.

While it is true that additions to the HEW Appropriations Bill contains items that are not directed toward the disadvantaged (Titles II and III) these funds are needed to help improve the educational opportunity of all pupils in the nation's schools.

RESPONSE OF JAMES R. BROWN, SUPERINTENDENT, MOUNTAINEER PUBLIC SCHOOLS, MOUNTAINEER, N. MEX., JANUARY 2, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: All children are benefitting through reduction of class sizes and offering of additional programs made possible through Title I funding.

What is the ADA in your school district grades K-12?

Answer: 461,841.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968 \$46,722, 1969 \$42,152, 1970 \$39,192.

What additional funds, if any, could you effectively apply to your Title I programs in

fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 \$46,722, restoration of previous funding, 1971 \$75,000.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: It is imperative that federal funds be appropriated to public schools for facilities and programs to further reach the needs of the above children. Example: Vocational Programs.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: The effectiveness of the programs is related to the amount of funding. Assurance of funding for future planning, etc. The present programs are only a start in what needs to be done.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: There may be instances of abuses in the intent of the program, but the entire program should not be jeopardized due to the above charges. Some of the abuses may be due to the lack of continuity of funding which affects planning.

RESPONSE OF THEODORE E. GLADO, TIVERTON, R.I., JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: 100 to 150.

What is the ADA in your school district grades K-12?

Answer: 93 to 95.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968 \$20,000, 1969, \$17,000, 1970 \$16,000, figures approximately.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 \$5,000, 1971 \$10,000.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Without question.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: They have been proven as being a definite advantage. Records prove it.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: Reaching the disadvantaged reduces itself to small pupil-teacher ratios. Materials we have plenty of, its the manpower we can't afford.

RESPONSE OF CLAY EVANS, FLEMING COUNTY, FLEMINGSBURG, KY., JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: 825.

What is the ADA in your school district grades K-12?

Answer: 2,182.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968 \$123,093, 1969 \$108,971, 1970 \$98,017.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 \$50,000, 1971 \$50,000.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Yes.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Not all disadvantaged children! Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: Fleming County needs funds for construction purposes more than for any other area. We need additional space for all children, including disadvantaged. However, we feel we could do more than we are for disadvantaged if we had more non-construction funds!

RESPONSE OF PORTSMOUTH PUBLIC SCHOOLS, PORTSMOUTH, VA., JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: 1,937.

What is the ADA in your school district grades K-12?

Answer: —.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968 \$679,797, 1969 \$780,341, 1970 \$702,458.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 \$200,000, 1971 \$250,000.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Yes, in our local situation of limited local funds (next to bottom at cities in the ability to pay for education).

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Yes, our Reading Program under Title I has been selected by the U.S.O.E. as a model for the entire nation.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: With about 50% of families in inner core of Portsmouth earning less than \$2,000 per year, we are faced with tremendous task of providing pre-school classes and special programs for these disadvantaged. Practically all of our Title I funds now go to the operation of these programs. The need

is so great the city is attempting to supplement the work being done in the inner city with its meager resources. To date, no Title I funds have been used except to provide special programs for the disadvantaged.

RESPONSE OF R. A. BERRY, BERKELEY COUNTY, MONACK CORNER, S.C., JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: 5,727.

What is the ADA in your school district grades K-12?

Answer: 18,970.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968 \$831,495, 1969 \$622,962, 1970 \$605,648. Additional allocation for summer program. Allocation, approved \$549,143. County in deferred status.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 \$300,000, 1971 \$350,000.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Definitely needed.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Yes.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: There are cases where the funds are not adequately used but this is true of any program as large as this one is. This Title I help is badly needed.

RESPONSE OF VAN W. EMERSON, SUPERINTENDENT, INTERMEDIATE SCHOOL DISTRICT NO. 101, NINE MILE FALLS, NO. 325, ORCHARD RESERVE NO. 123, GREAT NORTHERN NO. 312, SPOKANE, WASH., JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: 1968, 35; 1969, 31; 1970, 21.

What is the ADA in your school district grades K-12?

Answer: 1968, 158; 1969, 159; 1970, 166.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968, \$3,712; 1969, \$3,586; 1970, \$3,104.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970, \$3,000; 1971, \$3,000.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Very definitely: We were able through special experience opportunities widen the horizons of these elementary children.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: In our experience—yes!

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra

funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: The three school districts named above are what we can serve by establishing a cooperative program for the three through our office since they have no actual administrative Superintendent. We have had representative community adult participation in the planning and in this sense the procedures of "working together" have been very valuable. Personally, I feel that categorical aid does improve education where needed until general aid is sufficient to really give true coverage. Thank you for the opportunity to comment.

RESPONSE OF SCOTT OUSLEY, MARLOW, OKLA., JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: Approximately 125.

What is the ADA in your school district grades K-12?

Answer: 918 (68 to 69).

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968 \$20,099, 1969 \$22,560, 1970 \$20,017.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 \$20,000, 1971 \$20,000.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Yes. Indirectly and directly.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Yes. If Title I money was used only for added teaching personnel it would help.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: Late funding has caused poor planning. The uncertainty of available funds causes programs especially new programs to suffer.

Program needs to be stabilized so as schools can plan programs for what they are intended.

RESPONSE OF WENDELL MCNEELY, DIRECTOR OF FEDERAL PROGRAMS, YANKTON, IND., SCHOOL DISTRICT NO. 1, YANKTON, S. DAK., JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: 350 students benefit.

What is the ADA in your school district grades K-12?

Answer: 3,150.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968 \$97,735, 1969 \$93,917, 1970 \$84,600.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 \$12,000, 1971 \$15,000.

In your judgment, do you believe that the Title I programs are needed to meet the

special needs of educationally disadvantaged children?

Answer: Yes—very well received and used. South Dakota has educational finance problems.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Yes.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: Continual reduction of funds each year has caused us to drop a very successful summer program. Twelve 70-71 teaching contracts depend on early funding of fiscal 1971.

RESPONSE OF HENRY DRECHSLER, KAUKAUNA PUBLIC SCHOOL DISTRICT, NICOLET ELEMENTARY SCHOOL, KAUKAUNA, WIS., JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: 26, regular school year, 60 preschool (summer session), 90, summer math program.

What is the ADA in your school district grades K-12?

Answer: 3,051.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968 \$19,430, 1969 \$16,432, 1970 \$12,323.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 \$24,000, 1971 \$36,000.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Yes.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Yes, but funding (adequate) has limited it.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: The Wis. Dept. of Public Instruction has developed a most equitable system of distribution:

RESPONSE OF DR. MARVIN LANSING, EAU CLAIRE AREA SCHOOLS, EAU CLAIRE, WIS., JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: 225 to 250 Elementary, 90 to 100 secondary.

What is the ADA in your school district grades K-12?

Answer: 10,700.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968 \$125,000, 1969 \$116,000, 1970 \$116,000.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 \$100,000, 1971 \$125,000.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Yes.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Yes.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: This is not true here; all our funds (about \$116,000) are being used to pay salaries to professional staff members who work directly with pupils who are educationally disadvantaged.

Our emphasis at the elem level is to improve the pupils attitude towards himself (self concept development) and towards learning and school in general. Included in this program are home visits, parent involvement materials and a specific attack on reading and language problems. Feed back that we have to date certainly justify continuing the program—even expanding it.

At the secondary level we have a Guidance—tutorial program at North High School that has received recognition as an exemplary ESEA program. It is directed at the disadvantaged potential dropout. We are confident that this program has saved many high school pupils from dropping out of school.

Future: We need to have an impact on the child from the time he is born until he reaches school. Too much damage is done by the time he is five or six years of age. State educational T.V. could do wonders. For example, Sesame Street.

RESPONSE OF WARREN A. SMITH, ASSISTANT SUPERINTENDENT, JOINT SCHOOL DISTRICT No. 1, CHIPPEWA FALLS, WIS., JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: 425.

What is the ADA in your school district grades K-12?

Answer: ADA—Total enrollment 4,778; average daily membership, 4,456.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968, \$85,032; 1969, \$76,418; 1970, \$73,581.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970, \$12,000 for more staff for summer school; 1971, \$15,000 summer school and regular year staffing.

In your judgement, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Definitely, yes. Our general budget had been cut so that we have trouble meeting the needs of the disadvantaged children.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Yes—the multisensory technique for teaching reading to grades 1-3 and play

therapy for emotionally disturbed children grades K-4.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: All our funds have been carefully applied to the analysis of needs as evaluated by our staff. All funds are used for grades K-4 educationally disadvantaged. We must curtail our Title I Summer School because of inadequate funding.

RESPONSE OF WILLIAM H. BABB, RICHLAND COUNTY SCHOOL DISTRICT No. 2, COLUMBIA, S.C., JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: All children who reside within the district are benefitting directly or indirectly from Title I programs.

What is the ADA in your school district grades K-12?

Answer: 8,052.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968 \$119,000, 1969 \$108,000, 1970 \$90,000.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 \$90,000, 1971 \$200,000.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Any amount which the Congress would allocate could be used to improve and enlarge our Title I program. 1970 \$90,000, 1971 \$200,000.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: There is no doubt but what this district would be hard pressed to maintain the current level of operation without Title I funds. Those children with special needs would have to be adapted to our regular program of operation.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: Our Title I program is as effective as the limited funding will allow. The effectiveness is in direct proportion to the amount of money appropriated.

RESPONSE OF DR. DWIGHT M. DAVIS, SUPERINTENDENT, DES MOINES INDEPENDENT COMMUNITY SCHOOL DISTRICT, DES MOINES, IOWA, JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: 3,107.

What is the ADA in your school district grades K-12?

Answer: 42,765.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968 \$792,341, 1969 \$764,373, 1970 \$710,237.

What additional funds, if any, could you effectively apply to your Title I programs in

fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 \$100,000, 1971 \$150,000.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Definitely, yes.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Beginning to show many more positive effects. Continued and forward funding could provide for more comprehensive planning and evaluation and assure more stability in programming.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: We must continue the effort to concentrate funds on fewer children. Further a continued reassessment of objectives and needs is warranted. We feel we are serving the appropriate children, but must constantly guard against trying to serve too many, which tends to reduce program impact.

RESPONSE OF DONALD L. PARKER, DIRECTOR, TITLE I, KINGS MOUNTAIN CITY, KINGS MOUNTAIN, N.C., JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: 612.

What is the ADA in your school district grades K-12?

Answer: 3,921.

What was the amount of your ESEA Title I grant in each of the following fiscal years? Answer: 1968 \$123,158.72, 1969 \$108,472, 1970 \$97,784.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal years 1971?

Answer: 1970 \$25,000, 1971 \$40,000, (this would provide for a summer remedial program for these students who need this extended period of instruction so badly).

Priority needs for additional funds:

1. One additional class of students (6 years old), who, because of lack of readiness experiences in the home cannot adjust to the first grade and need an extended period of readiness and ungraded instruction.

2. One full time social worker to visit the homes of the deprived and to work closely with the parents in relating the school program to the child and to involve them in the school program. Encouragement for adult education, (courses in budgeting, health and nutrition for the child) are so desperately needed to help these families overcome the problems they are faced with due to economic handicaps.

3. Additional funds for medical and dental services. Because of inadequate diets these children have very poor teeth and are anemic.

4. A summer remedial program to give the disadvantaged child an extended period of instruction.

5. Additional equipment to effectively carry out the program now in operation. In order to offer the maximum amount of services, we have purchased almost no equipment for the kindergarten program, using home constructed and donated equipment to carry out the program. This is worked very satisfactorily but in order to extend the activities, we need additional equipment and supplies.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Yes, definitely. This is the only hope that we have for these students from economically and culturally deprived homes.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Yes.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: We are presently concentrating on the kindergarten-grade 3 child. We feel that this is the greatest area of need but we are not able to continue helping the child beyond this level. This is needed so badly if he is to continue this progress and to overcome the many handicaps he has been placed in because of his home environment.

We have spoken to a large number of civic and professional clubs, explaining our program and the effect it has on the deprived child. Through question and answer periods they have indicated great interest and enthusiasm for the Title I program and feel strongly that it should be continued and expanded.

It is also felt that without all federal funds which have been provided, the smooth transition from a dual to a unitary school system could not have been accomplished in our area. We desperately need additional funds to overcome deficiencies in the past educational experiences of these children and to assure them of equal educational opportunities, regardless of their background and home environment.

RESPONSE OF A. L. ALBERT, SCHOOL DISTRICT NO. 1, NEWCASTLE, WYO., JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: 59.

What is the ADA in your school district grades K-12?

Answer: 1312.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968 \$10,339, 1969 \$10,316, 1970 \$9,005.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 \$15,000, 1971 \$15,000.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Yes. I do not believe all of the educationally disadvantaged children reside in the ghettos, however, this seems to be case as far as approval of projects are concerned.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Yes. We can document some of our students becoming average and above achievers because of our program.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra

funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: There will always be some waste, this shouldn't eliminate the total program and stop the efforts of improvement. A realistic evaluation of programs by a team of educators (and others if preferred) from various levels in education and from different areas of the country (all on the same team) would help spot excellent programs and recommend the discontinuance of others.

The educators in Wyoming might come up with a program for the disadvantaged in our sparsely populated areas that might work just as well in the cities, however, because we are not playing the numbers game this opportunity does not present itself. I can show you a proposed program that was commended all the way but because of the few students was disallowed. (Only \$10,000.)

RESPONSE OF ALEX EVERSOLE, SUPERINTENDENT, PERRY COUNTY, HAZARD, KY., JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: 4,265.

What is the ADA in your school district grades K-12?

Answer: 7,655.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968 \$655,152, 1969 \$599,546, 1970 \$534,665.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 \$100,000, 1971 \$110,000.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Yes, our statistics and records prove that Title I funds have accomplished much for the educationally disadvantaged children in our school system.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Yes, but should be broadened into other areas such as art, music, and recreation.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: The Title I program has been vital in meeting the needs of our disadvantaged children in such areas as: health services, food lunch services, special remedial reading, library services, elementary physical education, guidance, nursing services such as screening and corrections of physical defects (including purchases of glasses and hearing aids), social work (including purchases of shoes and clothing), and other audio visual equipment, materials, and supplies. The Perry County Board of Education could not carry on necessary existing programs for these disadvantaged children without Title I funding. Our hot lunch programs in the small 1, 2, and 3 room schools for the children up the hollows and creeks could not function.

RESPONSE OF DeFORE CRAMBLITT, SUPERINTENDENT, INTERMEDIATE SCHOOL DISTRICT No. 114, PORT ORCHARD, WASH., JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: 24,560.

What is the ADA in your school district grades K-12?

Answer: 23,127.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968, \$63,000; 1969, \$167,000; 1970, \$119,000.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 will remain about the same as in 1969; 1971 will remain about the same as in 1970.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Yes, by all means.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Yes, in this area.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: To my knowledge none of the Federal Funds have ever been abused or misused.

RESPONSE OF NAT WILLIAMS, SUPERINTENDENT, LUBBOCK PUBLIC SCHOOLS, LUBBOCK, TEX., JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

No answer.

What is the ADA in your school district grades K-12?

Answer: 31,357.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968, \$442,426; 1969, \$408,148; 1970, \$347,895.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970, \$69,200; 1971, \$436,000; Total, \$783,895.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Yes, to our knowledge no other comprehensive program is so designed to meet the needs of educationally disadvantaged children.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Yes. There is statistical evidence that children in Title I program have shown improvement in communication skills and attendance. There is improvement in self-concept, attitude toward school and society and general educational achievement.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra

funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: We urgently need firm commitment well in advance of the beginning of the fiscal year to facilitate effective planning and avoiding waste of money and effort.

RESPONSE OF RUBEN H. PORCH, SUPERINTENDENT, CITY BOARD OF EDUCATION, SYLACAUGA, ALA., JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: Title I Activities & Services:

English-reading 1004.

Music, 309.

Physical Ed. 309.

Library services, 3,196.

What is the ADA in your school district grades K-12?

Answer: 2,949.41

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968 \$138,229, 1969 \$129,152, 1970 \$116,054.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 \$35,000, 1971 \$200,000.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Yes.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Yes.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: We agree that inadequate funding is the greatest obstacle that we face in reaching the disadvantaged. As it is shown above, the funds appropriated have been spent for equipment, materials and personnel. Experience has shown us that there is much to be done and it is impossible to do it without funds available to support these items.

RESPONSE OF VIRGIL F. BELUE, TUPELO MUNICIPAL SEPARATE, TUPELO, MISS., JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: 1,021.

What is the ADA in your school district grades K-12?

Answer: 5,306.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968 \$135,505, 1969 \$115,178, 1970 \$113,641.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 \$900,000, 1971 \$1,250,000.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Yes.

Do you regard your present Title I programs as effective in meeting special educa-

tion needs of educationally disadvantaged children?

Answer: Yes.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: The only way that we can meet the needs of disadvantaged children is by having Federal funds. The reason for ineffectiveness is the failure of the Congress to make the appropriations far enough in advance so that adequate planning is available to school personnel. Also, school personnel never know from one year to the next whether or not they will get Title I funds or how much they will be allocated. Effective educational planning cannot be done with the lack of security.

RESPONSE OF ACE ALSUP, SUPERINTENDENT, TEMPLE INDEPENDENT SCHOOL DISTRICT, TEMPLE, TEX., JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: 1,115.

What is the ADA in your school district grades K-12?

Answer: \$7,165.40.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968 \$175,313, 1969, \$153,490, 1970 \$149,231.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 \$153,000 (approx.), 1971 \$195,000 (approx.).

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Yes.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Yes?

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: None.

RESPONSE OF F. GAIL MASSEY, WESTRAN R-1, HUNTSVILLE, MO., JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: 90.

What is the ADA in your school district grades K-12?

Answer: 603.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968, no answer; 1969, 13,000; 1970, 13,000.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970, \$5,000; 1971, \$7,000.

In your judgment, do you believe that the Title I programs are needed to meet the

special needs of educationally disadvantaged children?

Answer: By all means.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: It could be and is being improved. Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: I believe guidelines should be more flexible and adaptable to each locale. Perhaps some funds have been misused; however, any system having title I funds will deteriorate if funds are unavailable. We need more!

RESPONSE OF WARREN ANDREWS, THREE RIVERS SCHOOL DISTRICT, THREE RIVERS, MICH., JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: 200.

What is the ADA in your school district grades K-12?

Answer: 3,200.

What was the amount of your ESEA Title I grant in each of the following fiscal years? Answer: 1968, \$25,000, 1969, \$22,000, 1970, \$7,800.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970, \$15,000, 1971, \$15,000.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Yes.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: No.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: None.

RESPONSE OF F. A. DAHLEN, ASSISTANT SUPERINTENDENT, No. 1, WINSLOW, ARIZ., JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: Elementary, 386; high school, 165; total, 551.

What is the ADA in your school district grades K-12?

Answer: Elementary, 1825.800; high school, 730.450; total, 2556.250; as of January 16, 1970.

What was the amount of your ESEA Title I grant in each of the following fiscal years? Answer:

1968—Elementary, \$138,577.56; high school, \$49,895.72; total, \$188,473.28.

1969—Elementary, \$126,551.69; high school, \$45,475.51; total, \$172,027.20.

1970—Elementary, \$119,224.00; high school, \$42,591.00; total, \$161,815.00.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970, \$27,000; 1971, \$27,000 (to expand vocational training and remedial reading).

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Yes.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Yes. We would provide more remedial help if personnel were available, and we would like to expand our vocational training.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: I feel that most schools in Arizona with which I am familiar do a pretty good job in reaching the educationally disadvantaged.

RESPONSE OF FRED E. ALLEN, SCHOOL ADMINISTRATIVE DISTRICT NO. 43, MEXICO, MAINE, JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: 112.

What is the ADA in your school district grades K-12?

Answer: 1,336 ADA in public schools; enrollment of 268 in parochial school.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968, \$30,058; 1969, \$26,639; 1970, \$23,762.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970, \$1,000 for supplies and equipment—present program covers salaries only; 1971, \$9,000 add another teacher to the program with more needed supplies. With cuts in budgets due to increased taxes this is essential to keep the program.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Definitely—we have accomplished a great deal in a poor district, which would not have been done without the Title I funds. With increasingly more property taxes, we need to continue such programs even more than before.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Yes—Our program was designed to meet the needs of these children, particularly, in the reading area and the associated problems that these disadvantaged children have in their home environment.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: This is not a true statement underlined in regards to the programs that I know of in Maine, and to our own program. The disadvantaged in reading are being reached, and as a result it benefits the whole district in their program. With additional funds we can do an even better job in correcting problems before they reach the upper grade levels.

RESPONSE OF FLOYD W. PARSONS, LITTLE ROCK SCHOOL DISTRICT, LITTLE ROCK, ARK.

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: Education programs, 2,987; personal services, 1,463.

What is the ADA in your school district grades K-12?

Answer: 23,324.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968 \$651,585, 1969 \$593,601, 1970 \$533,287.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970, \$118,000 (the difference between the amount allocated now and the amount allocated in 1968); 1971, \$200,000 (if the money is received in time to make adequate plans for its efficient use).

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Yes. There is a tremendous gap between many of the disadvantaged children and children from the so-called affluent families—often they are in competition in the same classroom since full integration has taken place.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: It is effective but limited somewhat in scope and depth.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: Most programs are good but inadequate funding and not enough time to plan are the two main reasons for poor programs. In fact, if it is impossible for Congress to make appropriations to permit advance planning on the use of funds, I would suggest a one-year moratorium on Title I funds to permit us to have the benefits of advance funding.

RESPONSE OF MICHAEL L. CASSETTO, OF SCHOOL DISTRICT NO. 171, OROFINOS, IDAHO, JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: 2,886.

What is the ADA in your school district grades K-12?

Answer: 2,575.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968, 28,290; 1969, \$29,410; 1970, none received in 1970 (estimated \$28,741).

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970, \$10,000; 1971, \$15,000.

In your judgment, do you believe that the Title I programs are needed to meet the spe-

cial needs of educationally disadvantaged children?

Answer: Yes.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Yes.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: We have been able to purchase instructional equipment which improved our program—along with a Teacher Aid program. This along with stipends for sending a few teachers to summer school in remedial reading—all of these programs gives the teacher more opportunity to help disadvantaged pupils.

RESPONSE OF L. W. DWYER, SUPERINTENDENT, BERLIN, N.H., JANUARY 22, 1970

How many children in your district are benefiting from education programs funded under Title I of ESEA?

Answer: 287.

What is the ADA in your school district grades K-12?

Answer: 2,337.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968 \$40,481, 1969 37,477, 1970 31,737—\$39,455 requested.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 \$7,718 plus \$3,000 for summer program, 1971 25,000 or more.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: In our area, yes.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Yes, but we need more of the same and follow-up programs.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: The funds in our area are well directed in our opinion. The money has helped do badly needed remedial work and has served to indicate new directions for helping the disadvantaged in this region.

RESPONSE OF W. DOUGLAS HARTLEY, SUPERINTENDENT, ST. JOHNS COUNTY, ST. AUGUSTINE, FLA., JANUARY 22, 1970

How many children in your district are benefiting from education programs funded under Title I of ESEA?

Answer: 1,497 low income.

What is the ADA in your school district grades K-12?

Answer: 6,399 (close of 3d month).

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968 \$244,816, 1969 \$23,575, 1970 \$194,754.

What additional funds, if any, could you

effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970, \$245,000; 1971, \$250,000. (Total population growth in schools only 2% to 3% per year).

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Yes.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Yes, but we are not meeting all of the needs of these children. More money and additional programs will be needed to do the work.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: At the outset of the program instructions given were not complete enough to portray the true picture of the purpose of the funds for the disadvantaged. In helping the disadvantaged in one school it reflects on all students enrolled in that school through the use of special materials or equipment. In no way can I say that funds have been intentionally misused. Had the directions been more explicit at the beginning of the program the purpose of Title I would have been better understood. In this county, we have attempted to stick to a basic program—primarily testing, food, health, reading, materials, etc., rather than the utopian program of teaching machines, additional housing, the ultimate in scientific equipment, because these "economically and educationally deprived" don't need Cadillacs to begin the improvement.

RESPONSE OF HERBERT C. PEARSON, HANOVER TOWNSHIP, WILKES-BARRE, PA.

How many children in your district are benefiting from education programs funded under Title I of ESEA?

Answer: 293.

What is the ADA in your school district grades K-12?

Answer: 2160.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968 \$54,515.76, 1969 \$42,535.89, 1970 \$38,747.13.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 \$7,000, 1971 \$8,500.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Yes.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Yes.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: None.

RESPONSE OF WALTER C. WOOD, SUPERINTENDENT, WILKES-BARRE CITY, WILKES-BARRE, PA., JANUARY 22, 1970

How many children in your district are benefiting from education programs funded under Title I of ESEA?

Answer: 2,908.

What is the ADA in your school district grades K-12?

Answer: 18,024 or approximately 94% of a 19,175 total membership in the 16 districts.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968 \$444,860, 1969 \$415,373, 1970 \$349,927.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 \$52,000, 1971 \$68,750. To balance Instructional Service Costs and continue summer school program. For more Reading specialists and special ed. teachers.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Yes.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Yes, very much so.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: The Wilkes-Barre City School District is in a cooperative program with 15 other districts. The program is multifaceted and includes the following:

1. Day Care Center for severely retarded children,
2. Readiness Classes for mentally retarded children of kindergarten and first grade age,
3. An Adaptive Physical Education and Recreation Program for physically handicapped children,
4. A Kindergarten Aide Program for children needing special attention,
5. A Remedial Reading and Enrichment Program for Emotionally Disturbed Children
6. A Speech Therapy Program for handicapped children,
7. A Supportive Elementary Library Service Program,
8. A Tutorial Program for Children Operating Below Grade Level.

These services would have to be curtailed if ESEA I funds were not available.

RESPONSE OF DR. JOHN W. ZORELLA, ASSISTANT SUPERINTENDENT OF SCHOOLS, PASSAIC COUNTY, N.J., JANUARY 22, 1970

How many children in your district are benefiting from education programs funded under Title I of ESEA?

Answer: 1969/70—Winter 845 pupils, Summer, 280.

What is the ADA in your school district grades K-12?

Answer: 1968/1969 ADA \$7,500.5, ADE \$8,481.8.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968 \$253,525, 1969 \$245,304, 1970 \$259,594.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 Est. \$50,000, 1971 Est. \$100,000.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Yes. It is unrealistic, and frequently impossible to teach 30-35 educationally disadvantaged children in a classroom. Small group, and individual instruction, in many cases has proven to be very helpful.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Title I programs have been helpful. They would be more helpful if we had the physical facilities in terms of classrooms. Many of our classes are being taught in hallways, basements and closets. Four successive budget defeats.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: This certainly is not true in Passaic! We are hampered in making our program more effective because we do not have a sufficiency of classroom space. We intend to rent additional quarters commencing September 1970. Our remedial reading and bilingual program have for the first time been geared to helping the disadvantaged children, who prior to the advent of ESEA funding were literally "vegetating."

RESPONSE OF RICHARD W. HISLOP, SUPERINTENDENT, BRISTOL, VA., JANUARY 22, 1970

How many children in your district are benefiting from education programs funded under Title I of ESEA?

Answer: 532 (About 16% of the students).

What is the ADA in your school district grades K-12?

Answer: 3,234.69.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968 \$148,982.01, 1969 \$128,179.56, 1970 \$108,071.60.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 \$10,000 (Summer School), 1971 \$100,000 for a permanent summer camp facility for SMR and EMR and economically deprived children.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: If it had not been for Title I funds, the needs of our disadvantaged children could not have been met.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Title I funds have been absolutely necessary to meet the following needs of our deprived: free lunches, dental and medical including speech and hearing, psychological tests, remedial math and reading, EMR classes, Music, Art, etc.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: At least 85% of our funds have

reached the disadvantaged children. The only exception has been that in our art and music classes and some of our field trips where the advantager may have also been benefitted along with the disadvantaged children.

RESPONSE OF DANIEL MORTENSON, GREEN RIVER SCHOOL DISTRICT NO. 2, GREEN RIVER, WYO., JANUARY 22, 1970

How many children in your district are benefiting from education programs funded under Title I of ESEA?

Answer: 110 to 120.

What is the ADA in your school district grades K-12?

Answer: 1,283.

What was the amount of your ESEA Title I grant in each of the following fiscal years? Answer: 1968, \$11,314; 1969, \$10,491; 1970, \$8,561.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970, \$2,500; 1971, \$2,500.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Yes.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Yes.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: Increased costs in education limit educational advantages.

RESPONSE OF DR. CHARLES E. DAVIS, ELMIRA CITY DISTRICT, ELMIRA, N.Y., JANUARY 22, 1970

How many children in your district are benefiting from education programs funded under Title I of ESEA?

Answer: Approximately 1,200.

What is the ADA in your school district grades K-12?

Answer: 12,980.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968 \$322,230.93, 1969 \$290,773.35, 1970 \$335,055.00.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 \$157,000, 1971 \$217,000.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Definitely! We are finding out more and more how specialized, varied and numerous are the problems of these children. Local funds could not begin to be adequate to meet them effectively.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Our programs are relatively effective. We need more funds and highly trained personnel to do more justice to the special problems these children have. Advance funding would also help in more effective planning of programs.

Recent hearings in Washington disclosed that inadequate funding was the greatest

obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: Perhaps in a few isolated cases there is some foundation to the criticism. Shall we kill the baby because he cries now and then? The money is badly needed and we enclose a study I ordered to be sure no money was being improperly used. I ask the critics—"has one superintendent been accused of misappropriating 1 cent?" Perhaps some programs have been ill-advised—but in one agency or home or office is this not so.

RESPONSE OF DR. RALPH GOITIA, SUPERINTENDENT, PHOENIX ELEMENTARY SCHOOL DISTRICT NO. 1, PHOENIX, ARIZ., JANUARY 22, 1970

How many children in your district are benefiting from education programs funded under Title I of ESEA?

Answer: 2,855.

What is the ADA in your school district grades K-8?

Answer: 9,900.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968 \$402,000, 1969 \$403,239, 1970 \$413,513.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 Anywhere from 1/2 million to 1 1/2 million to improve present programs now contemplated and which must be done in a piece-meal manner due to a lack of funds.

In your judgment, do you believe that the Title programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Yes. Rationale. Arizona like many other states does not have equitable funding for local districts from the state level. Although steps are being made in this direction, they still fall short of the mark. Phoenix Elementary School District No. 1 is an inner city school which has serious financial problems facing it. The problems of educational benefits for children are even more pressing. The educational needs of boys and girls in the inner city simply are not being met. Money alone will not solve the problems, such as the low reading level of students matriculating to the high school. However, if the answers are to be found, programs which will be soundly evaluated must be instituted. If a partial answer to the solution does indeed lie in more and better preschool experiences for boys and girls, funds from sources other than state and local must be utilized. It is difficult to convince many people that it simply costs more money to educate the type of boys and girls which are found in the inner city. If the educational output of boys and girls in the inner city is to be measured effectively with those of the suburbs, the many special needs of these boys and girls must be met. Presently, it is almost impossible to do so with existing funds.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Yes, to a degree. Rationale. Although this district like many others has made several attempts in different directions to meet the special education needs of these children, the main objectives and goals are now coming into focus which allows us to pinpoint our most critical needs. Those needs, incidentally, revolve around prekindergarten, prefirst and postfirst education with siz-

able portions of our budget being channeled into special education, i.e., the emotionally disturbed and the mentally handicapped. Again, state funds are simply not sufficient to mount the type of programs which are so desperately needed by these children. The amount of money received by this district has been, I feel, utilized in a sound manner; however, experience has sharpened our perception of what we feel should be offered to these boys and girls. The big problem facing most districts is the uncertainty of such funding and, therefore, the big question arises whether or not these funds should be put into programs rather than materials and supplies. The problem facing districts such as this one which has placed large amounts into programs is one of recruitment and retention of personnel. If the districts knew that the funds would be automatically coming to them they could do a more comprehensive job of planning. In my own opinion, if there is one important aspect which has been brought about by Title I, it has been that it has forced school people to at least look at their problems and to try to plan as far as possible for them. It is my opinion that in many cases, educators in the past have failed to really scrutinize the educational problems within their districts.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: Again, it is my contention that the funds have not been large enough in amount to concentrate on any one given problem to the extent of being able to measure adequately and efficiently the results of those funds. In short there are so many programs which need extra funds, not only in the preschool phase of education but in the areas of the mentally retarded, the emotionally disturbed, areas such as music, art, etc. Districts have been prone to "scatter" their funds in order to give a much needed emphasis in these areas, and thereby not obtaining full results. It is difficult to speak for other districts regarding the misdirection of funds and funds not reaching the disadvantaged child. However, one of the realities is that although the funds can be focused and directed into several schools, it is most difficult to say that the 3% or 5% of the children who do not fit the disadvantaged category be completely excluded from the ongoing programs covered by Title I and expressly designed for those children. I, personally, do not feel that the funds have been misdirected in our district and that, notwithstanding the experience needed to grow into such programs, the district has done a creditable job of seeing that the funds were used for the children for whom they were intended.

Thank you sincerely, Representative Perkins, for this opportunity to express our feelings regarding this most important program.

RESPONSE OF NEIL J. BOYLE, BENNETT COMMUNITY, BENNETT, IOWA, JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: 115 directly, all of them indirectly.

What is the ADA in your school district grades K-12?

Answer: 475.5.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1963 \$26,155, 1969 \$20,634, 1970 \$15,310.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 \$10,000, 1971 \$10,000.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Yes, definitely.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Yes. As far as they go. We need to have additional funds for summer and additional building space to use the present funds effectively.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comments: These funds are reaching the disadvantaged, however, more adequate funding in the area and additional building space or leased space can make the present programs more efficient.

RESPONSE OF WAYNE DENT, BAY-BROWN, BAY, ARK., JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: 358.

What is the ADA in your school district grades K-12?

Answer: 686.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968 \$50,552, 1969 \$44,071, 1970 \$38,899.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 \$12,000, 1971 \$15,000. This still would do a limited job.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Yes.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Yes.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: I feel we have just begun to realize how much could be done for disadvantaged children if we had sufficient funds. I have not known of any instances where funds have not been used to the best advantage for these children.

RESPONSE OF JULIAN BREWER, PARIS SPECIAL SCHOOL DISTRICT, PARIS, TENN., JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: 50.

What is the ADA in your school district grades K-12?

Answer: 1,450.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968 \$34,821.23, 1969 \$30,920.88, 1970 \$27,971.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 \$50,000, 1971 \$50,000.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: I am not an advocate of categorical aid to education. It would be better for the Federal Government to go to block grants or foundation aid. The present Title I program is patterned for large cities, not small towns and rural areas.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: My opinion is that most of them are worth while, however, the dollar spent in Title I is not buying as much educational value on the dollar from state and local sources.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: This is not directly to above, but a complaint. In my judgment in Tennessee, procedures to identify the low income children are not adequate for purposes of splitting funds between systems within a county. We are in Henry County, our system enrolls about 1,550 children K-12, the Henry County system enrolls about 3,600; they receive about \$170,000—we are receiving about \$30,000.

RESPONSE OF EMERSON W. ROMAN, SUPERINTENDENT, HARRISON LOCAL SCHOOL DISTRICT, SCIO, OHIO, JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: 335.

What is the ADA in your school district grades K-12?

Answer: 2,695.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968 \$47,209, 1969 \$40,796, 1970 \$36,779.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 \$10,000, 1971 \$10,000.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Yes.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Yes.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged con-

templated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: None.

RESPONSE OF JAMES G. BUSICK, SUPERINTENDENT, DORCHESTER COUNTY BOARD OF EDUCATION, CAMBRIDGE, MD., JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: 377 are receiving full impact while an additional 1,033 are receiving fringe benefits: nursing and health, library, psychological.

What is the ADA in your school district grades K-12?

Answer: 6,149.1 as of Oct. 31, 1969.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968 \$272,558.79, 1969 \$233,601.35, 1970 \$210,530.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970, at least \$105,000 in order to operate the Pre School program through June. We operate our program only through March. We start in October. 1971 \$145,000.00.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Without hesitation, the Title I programs in Dorchester County have laid the foundation for the successful integration of our total school program, have upgraded children, have promoted better school-family-community relations, have improved our total program through revision of traditional programs, and remediated many influences: socio-economic, socio-cultural, medical, dental, psychological that would have had a retarding and debilitating effect.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Not only would I state the effectiveness of our Title I programs in meeting the stated objectives, but I would share the excellent philosophy and programming with others to validate its worth.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: Where the State Department of Education has been the intermediate agency for federal programs, the greatest gains and benefits for Dorchester County's children, families and community have accrued.

Major weakness: Not knowing the extent of funding to allow for long range, optimal planning.

RESPONSE OF DR. JOE R. ANDREWS, SUPERINTENDENT, BOLING INDEPENDENT SCHOOL DISTRICT, BOLING, TEX., JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: 1,005.

What is the ADA in your school district grades K-12?

Answer: 970.26.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968, \$57,432; 1969, \$54,630; 1970, \$49,830.

What additional funds, if any, could you effectively apply to your Title I programs in

fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970, \$10,000; 1971, \$13,000.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Definitely.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Our basic program is effective but it should be expanded to provide additional service to secondary pupils.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: All of our Title I funds (plus local funds) are used to provide remedial reading and math to the disadvantaged. Additional funds could be utilized in language arts.

RESPONSE OF GEORGE S. WILLARD, SUPERINTENDENT, WILSON CITY SCHOOLS, WILSON, N.C., JANUARY 22, 1970.

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: 2,385.

What is the ADA in your school district grades K-12?

Answer: 7,392 (end of 4th school month).

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968 \$301,795, 1969 \$337,051, 1970 \$298,961.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 \$190,000, 1971 \$210,000. These are conservative estimates.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Emphatically yes!

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: The programs have helped greatly, but not all needs have been met.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: In our school district, I am convinced that the greatest obstacle is inadequate funding.

RESPONSE OF MRS. SAXON P. BARGERON, ASSISTANT SUPERINTENDENT SAVANNAH-CHATHAM COUNTY, SAVANNAH, GA., JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: 5,839.

What is the ADA in your school district grades 1-12.

Answer: 40,268.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968, \$1,010,777; 1969, \$995,867; 1970, \$894,866.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 \$347,061, 1971 \$381,767.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Yes.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Definitely.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: Too much money is being spent by the United States Office of Education on Consolidated Program Information Reports and Nationwide Surveys which are costly and are not valid on the local level. This money could be more effectively utilized in programs for the disadvantaged on the local level.

RESPONSE OF MR. CORDELL WYNN, ASSISTANT SUPERINTENDENT, FEDERAL PROGRAMS, BIBB COUNTY BOARD OF EDUCATION, MACON, GA., JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: 15,014.

What is the ADA in your school district grades K-12?

Answer: 33,095.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968 \$1,115,647, 1969 \$1,170,361, 1970 \$760,561.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 \$961,135, 1971 \$980,439.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Yes, positive results have been noticed in the achievement of all children who participated in Title I Programs and Activities. Additional funds are needed to provide more services.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Yes, however, more funds are needed to provide for special needs in the education for the disadvantaged children in our school system. Individualized instruction, building of self-image, et cetera.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: Title I has had a positive and far reaching effect on the total educational progress of educating the disadvantaged children in our system. As an educational

leader for more than 18 years, working directly with the disadvantaged as a teacher, counselor, principal, and administrator, the effective use of Title I funds has enhanced quality education for our children. Without these funds, it would be difficult for these children to have had quality education in the many areas of achievement.

RESPONSE OF CARLTON C. MOFFETT, DALLAS INDEPENDENT SCHOOL DISTRICT, DALLAS, TEX., JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: 14,369.

What is the ADA in your school district grades K-12?

Answer: 141,731.62 for 1968-69, grade 1-12.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968 \$2,316,094, 1969 \$2,232,229, 1970 \$2,053,966.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 \$4 to \$5 million, 1971 \$4 to \$5 million.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Yes.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Yes.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: In my opinion the accusation of misdirected funds has probably arisen from a few isolated cases. Our state department monitors these funds closely. It would be difficult to knowingly misdirect these funds if a school district should choose to do so.

RESPONSE OF ALFRED G. GORDON, CITY OF TONAWANDA, N.Y., TONAWANDA, N.Y., JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: 315 children (approximately).

What is the ADA in your school district grades K-12?

Answer: 5094.3 K-12.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968 \$58,355.20, 1969 \$47,656.34, 1970 \$44,700 (estimated).

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 \$6,700 (15%), 1971 \$15,750 (35%). (Late appropriation would preclude effective planning of expenditures.)

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Yes. Corrective programs always cost more than preventive programs. (An area not yet explored under Title I ESEA.)

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Yes. I feel we are doing a better

job of meeting the special needs of the educationally disadvantaged, as we modify our program each year.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: There is no doubt in my mind that much of the testimony your committee is taking relative to the use of ESEA Title I funds is contradictory and unclear. I am sure there are some very valid reasons for this confusion. I am also sure that virtually every school district in the United States could use more Federal funds to meet the added demands placed on their instructional resources by the educationally disadvantaged children they serve. As a person responsible for the preparation, operation and evaluation of ESEA Title I programs for this School District, I feel there are three major areas of confusion relative to the ESEA Title I program that could lead to the assumption that funds were being wasted or misdirected.

Item 1, Terms: The designation educationally disadvantaged and economically disadvantaged are used all too often synonymously. This kind of comparison, along with culturally disadvantaged, may apply in a broad sense to large city school districts, but for the most part there is not a one to one correlation between the educationally and economically disadvantaged in small cities, villages, suburban and rural school districts. If it is a case of educational disadvantage then fund the schools to meet this need. We are in existence to perform this service. If it is a case of economic disadvantage, then I'm not sure that the schools should assume the total responsibility for correcting it.

Item 2, Guidelines: Each state provides the local districts with guidelines for the development of innovative programs to meet the needs of the educationally and/or economically disadvantaged. These guidelines are by necessity somewhat restrictive but for the most part they lend themselves to large city school districts. If waste has been evident in some ESEA Title I programs I'm sure much of it was brought about by school districts trying to develop programs according to some inflexible guidelines not appropriate to the real needs they faced in their own school districts. For example, I am sure the school districts that serve Louisville, Kentucky and Bardstown, Kentucky are both faced with meeting the needs of educationally disadvantaged children. I am equally sure that the most efficient way of meeting this need with federal funds would not be the same in Louisville that it would be in Bardstown. Each school district is in the best position to know what programs would be more effective for them. They should be given the freedom to plan for their needs and the responsibility to evaluate the effectiveness of their programs.

Item 3, Federal and State Funding: Though this is a situation that should have improved since 1965, it has not. Not once since the ESEA Title I program started have school districts known how much money would be available for their programs before the start of the school year. These delays have either been brought about by late congressional appropriations or indecision on the formulas for distribution of funds at the state level. Because the bulk of any ESEA Title I program consists of services (peoples' salaries) most school districts are reluctant to commit local non-budgeted money (usually not available under local tax structures) to Title I projects when they

have no assurance that their proposals will be approved or what amount they will receive until well after the start of the school year. Add to this the delay in payment of ESEA Title I funds (this school district received its first 25% payment for our 1969-70 project on January 15, 1970—almost at mid-year) and you get some idea of the fiscal problems faced by local school districts.

I hope the comments made in this letter will be received as constructively as they were intended. Federal funds are needed and are being used effectively by school districts to meet the needs of educationally disadvantaged children. Those of us in education are concerned with need for special programs and services for the educationally disadvantaged. We hope you will continue to give us the opportunity to show what we can do when we have the adequate resources needed.

RESPONSE OF W. C. MUNDY, SUPERINTENDENT, AMERICUS PUBLIC SCHOOLS, AMERICUS, GA., JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: 1,100 to 1,800. Materials and equipment are used to enhance educational programs in the two project area schools only.

What is the ADA in your school district grades K-12?

Answer: 3,189.

What was the amount of your ESEA Title I grant in each of the following fiscal years?

Answer: 1968 \$244,186, 1969 \$246,110, 1970 \$208,361.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?

Answer: 1970 \$90,000, 1971 \$100,000.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?

Answer: Disadvantaged children have been helped immensely through funds provided under Title I, ESEA.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?

Answer: Yes, this is evidenced through higher achievement scores, better health through free lunches, and improved self-image.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: Funds for the two project area schools have been adequate for meeting the needs of disadvantaged children. Additional funds should be provided to meet the needs of all children. No funds have been misdirected, but have been used only for children in the project area schools.

RESPONSE OF LESLIE C. BERNAL, ASSISTANT SUPERINTENDENT OF SCHOOLS, METHUEN PUBLIC SCHOOLS, METHUEN, MASS., JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?

Answer: 380.

What is the ADA in your school district grades 1-12?

Answer: 4,816.

What was the amount of your ESEA Title I grant in each of the following fiscal years?
 Answer: 1968 \$42,050, 1969 \$42,100, 1970 \$28,788.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?
 Answer: 1970 \$22,000 (additional), 1971 \$51,000.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?
 Answer: A resounding yes! Without Title I funds the compensatory program initiated for the educationally deprived children in Methuen would not have come to fruition in 1967 or any other year.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?
 Answer: We have hard data as well as subjective analysis that indicated our program is meeting the needs of the disadvantaged.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriations Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: I can speak only for Methuen. We invite close scrutiny of our program and allocation of money. There is no question in my mind that these funds have been misdirected.

RESPONSE OF DR. JOHN A. BERTRAND, SUPERINTENDENT, ACADIA PARISH SCHOOL BOARD, CROWLEY, LA., JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?
 Answer: 5,107.

What is the ADA in your school district grades K-12?
 Answer: 10,713.

What was the amount of your ESEA Title I grant in each of the following fiscal years?
 Answer: 1968 \$808,885.73, 1969, \$709,042.12, 1970 \$581,734.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?
 Answer: 1970 \$300,000, 1971 \$400,000.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?
 Answer: Yes.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?
 Answer: Yes.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: Situations where funds are being misdirected should be investigated. We feel that Title I funds are being used effectively in our district. One significant problem—late funding of programs (during last half of fiscal year) make it extremely difficult to plan and implement effective programs for current school year.

RESPONSE OF E. L. BROWN, SUPERINTENDENT, DAVIDSON COUNTY SCHOOLS, LEXINGTON, N.C., JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?
 Answer: 1,096.

What is the ADA in your school district grades K-12?
 Answer: 12,896.

What was the amount of your ESEA Title I grant in each of the following fiscal years?
 Answer: 1968 \$174,250, 1969 \$163,826, 1970 \$145,579.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?
 Answer: 1970 \$20,000, 1971, \$50,000.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?
 Answer: Yes.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?
 Answer: Program too limited because of limited appropriations.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: Some school systems cannot effectively utilize the large allotment of funds allotted their systems. Provisions should be made to re-allocate these funds to school systems which can effectively use more funds.

RESPONSE OF MR. A. P. WILDMAN, DIRECTOR OF CURRICULUM, SHARON SCHOOL DISTRICT, SHARON, PA., JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?
 Answer: 266.

What is the ADA in your school district grades K-12?
 Answer: 4,679.

What was the amount of your ESEA Title I grant in each of the following fiscal years?
 Answer: 1968 \$68,534, 1969 \$70,066.71, 1970 \$66,423.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?
 Answer: 1970 \$35,000, 1971 \$35,000.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?
 Answer: Very definitely.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?
 Answer: Additional money would reach more disadvantaged pupils and enable us to have a more effective program, especially if we knew in sufficient time about the funding.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: We have always felt that additional funding would enable us to reach many more pupils who are in need of such

help. We strongly urge the passage of this legislation in order to meet the needs of our disadvantaged pupils.

RESPONSE OF HICKSVILLE PUBLIC SCHOOLS, U.F.S.D. No. 17, HICKSVILLE, N.Y., JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?
 Answer: 291.

What is the ADA in your school district grades K-12?
 Answer: 232.

What was the amount of your ESEA Title I grant in each of the following fiscal years?
 Answer: 1968 \$84,521.81, 1969 \$68,710.33, 1970 est. \$67,777.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?
 Answer: For every \$75 per pupil cost, we could accommodate one more pupil.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?
 Answer: Yes.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?
 Answer: Yes.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reaching the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment: Due to the lack of monies available to us last year in the summer remedial project, we were forced to double the class size and thereby impede the intent and effectiveness of the program. Additional money provided would allow teachers to give more individual teaching to students who have failed and would have benefited by it.

RESPONSE OF B. A. CUNNINGHAM, ROGERSVILLE, TENN., JANUARY 22, 1970

How many children in your district are benefitting from education programs funded under Title I of ESEA?
 Answer: About 150, 1969-70.

What is the ADA in your school district grades K-12?
 Answer: Our system only has grades K-8. 1968-69, 591.

What was the amount of your ESEA Title I grant in each of the following fiscal years?
 Answer: 1968 \$31,189, 1969 \$28,692.25, 1970 \$25,839.

What additional funds, if any, could you effectively apply to your Title I programs in fiscal year 1970 over and above the present level of funding? In fiscal year 1971?
 Answer: We need a kindergarten program and a music program for all children which would involve total salaries of \$14,000.

In your judgment, do you believe that the Title I programs are needed to meet the special needs of educationally disadvantaged children?
 Answer: The special personnel, speech, hearing, reading and psychiatrist have never been available to us on State and local level in sufficient numbers to help so many of the special cases.

Do you regard your present Title I programs as effective in meeting special education needs of educationally disadvantaged children?
 Answer: It has helped but never enough to do a good job.

Recent hearings in Washington disclosed that inadequate funding was the greatest obstacle in the path of more effectively reach-

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ing the disadvantaged. Others now contend that we cannot effectively utilize extra funds contained in the HEW Appropriation Bill because the funds are being misdirected and are not reaching the disadvantaged contemplated under Title I ESEA. Your brief comments on these contentions would be appreciated.

Comment. In our small system there is lack of manpower to cover the paper work to get a federal dollar. There needs to be more leeway in meeting our diverse local needs which categorical aid limits. There has been short term authorization and short term planning which has been undesirable.

INFLATION

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

Mr. SCHADEBERG. Mr. Speaker, the President's state of the Union address has made it perfectly clear that he is willing to make the hard, unpopular decisions needed to end our seemingly endless spiral of inflation.

In fact, he has already begun to do so. As he pointed out a little while ago, we had a balanced budget in 1969, this administration cut more than \$7 billion out of spending plans in order to produce a surplus in 1970, and he will present a balanced budget for 1971.

Mr. Speaker, he also made it crystal clear that much of the blame for inflation lies with the Federal Government and the Congress. As he pointed out, the Federal Government in the 1960's ran \$57 billion in the red at a cost to the average family in lost spending power of \$200 a month. The Federal Government may request, but we all know that the Congress decides what will be spent.

Finally, Mr. Speaker, the President laid a good share of the responsibility for ending the inflation in the lap of Congress—where it rightly belongs.

The President said:

Only with the cooperation of the Congress can we meet this highest priority objective of responsible government.

Mr. Speaker, in this election year we can only hope that the Congress will do what the President urges and rejects programs which benefit some people at the expense of all of the people.

STATE OF THE UNION MESSAGE— PROMISE FOR RURAL AMERICA

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

Mr. RUPPE. Mr. Speaker, we have just listened to a magnificent address by the President of the United States.

This was an address that touched on both the problems and the promises of America—the problems of today and the promises of the future. The President has given us his vision, not for the year 1970 alone, but for the decade of the seventies.

I was particularly gratified by the high priority given the need for a revitalization of rural America. This portion of the state of the Union message was of particular importance to me since one of my major activities since my election to the 90th Congress has been an effort to

develop a viable program to redress the economic imbalance that exists between urban and countryside America.

During my first 4 months of service in the House of Representatives I introduced legislation to create a Presidential Commission on Balanced Economic Development. On April 6, 1967, I said in this Chamber:

I am not simply calling for a new Presidential Commission to study yet another national problem. I am calling for a common sense approach to a problem we have ignored too long. I am calling for a new national goal.

The Huntington, W. Va., Advertiser said this bill "could become one of the most important pieces of legislation in many years."

It was not, however, until Richard Nixon became President of the United States that a national administration took note of the serious decline in an important segment of America. The President's creation of a Rural Affairs Council at the very highest level of Government in fact accomplished much of the objective of the Commission on Balanced Economic Development that I originally proposed.

Today the President has followed up on his establishment of a Rural Affairs Council with a second vital step. He has declared balanced growth throughout America to be a new national goal of this decade. For the first time, a President of the United States has dedicated the Federal Government to the task of creating a new rural environment that will reverse the migration from our countryside areas to our urban centers.

In his address this afternoon the President said, "What rural America needs is a new kind of assistance." Mr. Speaker, on December 18, I introduced legislation which I believe, if adopted, would be a major conduit for bringing to rural America that "new kind of assistance" the President has requested. I have designated this bill the Regional Development Incentive Act of 1970. It provides a tax incentive to attract industry into rural America, and in my view would go far toward revitalizing the countryside areas of this great Nation. During the coming week I intend to request that the President consider endorsing the Regional Development Incentive Act as the next step in his program to encourage balanced growth throughout the United States.

THE PROBLEMS OF THE INDEPENDENT OIL PRODUCERS

The SPEAKER pro tempore (Mr. MADDEN). Under a previous order of the House, the gentleman from Illinois (Mr. SHIPLEY) is recognized for 30 minutes.

Mr. SHIPLEY. Mr. Speaker, I have, from time to time, attempted to bring the facts to the Congress with regard to the problems that the independent oil producers from my district in Illinois and surrounding areas have had and are presently experiencing. The oil import program will have significant effect on this vanishing breed of explorers.

On Tuesday, January 20, 1970, there was a full-page ad carried in the Washington Post and sponsored by the Independent Oil Producers and Land Owners

Association of Indiana, Illinois, and Kentucky, Inc. This article clearly and plainly expresses the views of myself and many others who want to save the independent oil producers. It follows:

TO OUR PRESIDENT, RICHARD M. NIXON

Volumes of testimony have been presented to your Task Force on Oil Imports. You have received hundreds of letters and telegrams. All generally following the same line of thought.

We, the Independent Oil Producers and Refiners from America's heartland, Indiana, Illinois and Kentucky take this opportunity of calling the attention of yourself and the American oil consumer to a few facts and realities which others have probably heretofore not had the temerity to face.

Some forces and influences have, knowingly or otherwise, falsely misled the American laborer, labor unions, the public generally, and now are making misleading representations to yourself, after having intimidated Congress with a vote threat. Many Senators and Representatives have been so beset with pressure from these sources that they have already adopted tax measures very detrimental to us. They are now pressing for a lifting of limitations on crude oil imports and for tariffs.

Why? They try to convince the public and laboring man that it would mean cheaper gasoline for his automobile. There was never a greater fallacy.

Premium gasoline today sells out of the refinery at 12 to 13 cents per gallon, depending on the location. This includes our expenditure of untold millions looking for oil, wildcatting if you please, with 80 to 90 percent of our attempts to find being failures; it includes our cost of drilling production wells when once a discovery is made and a large percent of discoveries prove to be financial failures in the end; it includes the cost of completion of wells, equipping wells; treating the crude; transporting crude to the refineries; the cost of refining; the cost of blending and treating with additives and the cost of storage. For all these costs and many others incidental and not enumerated, we the producers and refiners receive 12 to 13 cents per gallon for high grade gasoline.

Sure, the consumer pays over 40 cents per gallon. Why? In Indiana for example, and it is typical, 12 cents per gallon is immediately added for taxes. This equals the cost of search and discovery, production and refining. Next, the jobber adds his cost. After that, the retailer adds his margins. We, in the aggregate who do the lion's share of the work and spend most of the money, receive 12 to 13 cents per gallon. Yet, the independent producer and refiner in particular have become the whipping boys.

Tax benefits which helped furnish capital for wildcatting, drilling and production have been repealed in part. The gospel is preached that if import limitations are removed or greatly relaxed, crude oil will go down as much as \$1 per barrel. It may temporarily. They say gasoline would reduce 2 cents per gallon, this too would be temporary at the most. Do not forget, gasoline leaves the refinery now at only 12 to 13 cents per gallon. You pay over 40 cents per gallon, but the great bulk of this money does not go to us as they would lead you to believe. Is anyone so naive as to think that if crude were reduced \$1 per barrel, that the 2-cent reduction in the price of gasoline would ever reach the consumer except temporarily. The odds are heavy that from the beginning it would be absorbed somewhere along the line. The governments themselves are already talking of raising the tax on gasoline 2 cents per gallon or more. Labor leaders who have been misled into putting pressure on their Senators and Representatives must further realize that wildcatting, production and refining employs thousands of men and women.

The wildcatter, producer and refiner receive scarcely any more for their product than they did during World War II and all the years subsequent. The loud proclamation of inflation has not found its way to them.

So bad has the financial squeeze and threat of an uncertain future become that hundreds of drilling rigs have been and are being scrapped and stacked; drilling crews have and are finding their way into other industry and more leave the oil fields and refineries every day because of the pending governmental threat to our industry; stripper wells are being plugged; wildcatting and production have and are losing their incentive. We operate on a narrow margin now and the lifting of import limitations, thus lowering the price of crude, will destroy us. We are not the "fat cat" of the industry as we so often hear. If any of this breed of cat exists, we do not know where they are and at best they would be the relics of an already bygone age. More properly, we could be called the "alley cats" if anyone desires to characterize us with a feline expression.

Consumption of petroleum has now exceeded 14,000,000 barrels per day. We are without a doubt an importing nation, such importing must be orderly and with restraint commensurate with the need. We cannot become a wholly importing nation of petroleum. This not only from the standpoint of national security as we so frequently hear, but also from the standpoint of peace. If we are destroyed as an industry, many large international producers (there are some exceptions) and the governments of those countries from whence comes so-called cheap crude, would jump to the opportunity and crude would no longer be cheap. Foreign cartels and monopolies, over which our government would have no control, would develop rapidly and the American consumer could soon look forward to the day when he would pay 80 cents to \$1 per gallon for gasoline, as they did in Europe for many years and still do in many parts of the world. No, neither would we have petroleum for defense. Alaska is still conjecture and myth, far away, and presently and for many years to come, impractical to many parts of the United States.

Natural gas shortage is already being widely discussed. This because gas in the past has been discovered by the oil wildcatter largely by accident and not design. Gas price itself made drilling for it unattractive. When wildcatting for oil ceases, gas discovery will cease. Transportation of gas by tanker from foreign lands would cause it to be priced beyond the reach of most of us.

How will those in labor who are helping destroy us feel when that day arrives? How will the Senators and Representatives, wherever they may be, who have helped destroy us feel when that day arrives?

America can only survive by keeping a strong domestic producing and refining industry. The domestic search for oil must continue. The lifting of import limitations will be the death of American wildcatting and production. By the same token such would well be the death of America. To say the least, it would mean economic disaster to the petroleum consuming public.

We are small people but it is we who have traditionally found over 80% of America's new oil. We are not rich people but we know how to find oil and have the guts to try if we can be allowed to have just enough money to do so.

We are pleased that some major International oil companies have seen fit recently to come forward and declare that the Independent Oil Producer and the Independent Refiner must be preserved for the welfare of our nation and its Petroleum Industry.

We, the Independent Producer, cannot subsist on \$2.50 or even \$3.00 crude oil based on acceptable gravity. At such prices, we simply must quit the business of search and production. This is not argumentative but an economic statement of fact.

Mr. President, you alone can save us as an

industry and to you we appeal for the opportunity to continue our work and help you save America as an economically independent and secure nation.

STATE OF THE UNION MESSAGE— THE BUILDING OF A BETTER TOMORROW

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

Mr. STEIGER of Wisconsin. Mr. Speaker, today, in his state of the Union message, the President presented us with a vision of a better America.

He told us that it has become a fundamental truth that:

We can be the best clothed, best fed, best housed people in the world, enjoying clear air, clean water and beautiful parks, but we could still be the unhappiest people in the world without that indefinable spirit—the lift of a driving dream which has made America from its beginning the hope of the world.

Mr. Speaker, we are indeed the hope of the world and have been for 200 years.

It is up to us now to be worthy of that hope.

The President has outlined the tasks before us—peace for this generation and the next, an end to inflation, a major assault on crime, and an end to the polluting of our environment—in sum, the building of a better tomorrow.

We can help in those tasks, in fact we must help if they are to be accomplished.

It is my urgent hope that the Members of this Congress will seize the challenge the President has laid before us and join him in doing what must be done to make this a better world for us and for our children.

STATE OF THE UNION MESSAGE— WE ARE BOUND TOGETHER IN SPACE AND TIME

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

Mr. MILLER of Ohio. Mr. Speaker, this state of the Union message today by the President of the United States concerned itself not only with our Federal union—but with other unions as well:

The union between man and nature.
The union between one generation and another.

The union between our country and the world.

The union between the present and the future.

President Nixon has spoken of those unions, has seen them as they are—and as they should be.

The state of the union between man and nature has been shattered in our time; the President offers programs to do something about this rupture.

The state of the union between one generation and another in our time is chaotic; the President knows this and seeks to restore the natural state in which the young and the old combine in a mutual effort of affection and common purpose.

The state of the union between our country and the world is, in some cases, based on old premises, rarely reexamined since their foundation; the President seeks to build a new union in the world, one based on reality and mutual concern for all.

The union between the present and the future is now marred by pollution in our environment, hostility between generations, suspicion among nations—and war. The President has pledged to make our time a bridge between a past that promised much and a future that will offer much.

This state of the Union address was historic. It is the first that ever recognized the fundamental truth: no man—and no nation and no time—is an island entire of itself—each is a part of the whole.

This recognition that we are bound together in space and time and that what we do now affects all men—this recognition is the striking and historic theme of this great address.

PRISONERS IN NORTH VIETNAM

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

Mr. BENNETT. Mr. Speaker, all good Americans are concerned about the treatment and welfare of the Americans who are prisoners in North Vietnam. This is a tragic situation not only for the families and the men involved, but for our Nation and decent persons everywhere.

Over the last year, I have spoken out on this grave problem many times. I joined with the other members of the Florida congressional delegation in urging the President to do everything in his power to secure the release of the prisoners, including using his influence to get allied nations to stop trading with the North Vietnamese enemy until the Geneva Convention is complied with.

I have also cosponsored a resolution passed by the House of Representatives calling for humane treatment and release of American prisoners of war held by North Vietnam and the National Liberation Front.

Mr. Speaker, on several occasions I have asked the President to make further troop reductions of our forces in Southeast Asia conditional upon the release of American war prisoners. This seems to me to be a step our Nation should take in this appalling situation at this time.

OMISSION OF REFERENCE TO THE MIDDLE EAST SITUATION IN THE STATE OF THE UNION MESSAGE

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

Mr. PUCINSKI. Mr. Speaker, I was impressed with most of the President's speech that we heard here a little while ago. But I was disappointed that the President omitted any reference to the most explosive spot in the world today, the Middle East. The President talked about the SALT negotiations. He talked

about Vietnam. He talked about the resumption of talks with Red China and Warsaw. But the part of the world that needs our most urgent attention today, the Middle East, which is boiling over and is a tinder box ready to explode at any minute, apparently did not get any consideration from the Chief Executive in his state of the Union message today.

I must tell you, Mr. Speaker, that I find this very disappointing. I would have been very much more impressed if the President had addressed himself to this problem.

I just came back from Paris. I was shocked to learn that the French Government has added another 50 Mirages on top of the first 50 Mirages that they are selling to Libya.

I have said previously, and I say again now, that the policy of the French to rearm the Arab States without giving the Israelis parity in power to defend themselves is an invitation to disaster in the Middle East.

It would be my hope that the Chief Executive would have addressed himself to that problem. I am not impressed by the fact that he said he is going to send an overall statement on foreign policy to the House in a few days. The situation in the Middle East today deserves our highest priority.

Because while right now this involves a conflict between the Arab States and Israel, the fact of the matter is if there is another explosion of hostilities there, it will involve the major powers whether they wish to become involved or not. I think the American people want to avoid this conflict at all possible costs.

Mr. Speaker, it would be my hope the President would seriously reconsider, in the light of the French action to rearm the Arab States and the Soviet action to rearm the Arab States, in which the Soviet Union gave Egypt 460 fighter bombers and Syria 267 fighter bombers and tankers, our Nation's policy toward Israel and for the United States to give Israel 200 bombers now to defend itself. The only way to keep a major conflict from erupting in the Middle East, in my opinion, is to make sure Israel is strong enough to defend herself so the Arab States will not dare to make another attempt on that country. We are now selling Israel Phantom jets but I believe we should also consider giving her some additional jet fighters to defend herself.

One thing is certain. Israel has stated repeatedly she does not want any American personnel; she has the manpower for her defense. What Israel desperately needs is the equipment and I believe we should help. This is the only way to preserve peace in the Middle East.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. STRATTON, for January 26 to February 9, on account of official committee business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legisla-

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tive program and any special orders heretofore entered, was granted to:

Mr. STREIGER of Wisconsin (at the request of Mr. RUPPE), for 15 minutes, today; to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. PRYOR of Arkansas); to revise and extend their remarks and include extraneous matter:)

Mr. SHIPLEY, for 30 minutes, today.
Mr. GONZALEZ, for 10 minutes, today.
Mr. PERKINS, for 1 hour, on Monday, January 26, to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. RUPPE) and to include extraneous matter:)

Mr. BUSH in two instances.
Mr. PRICE of Texas.
Mr. BROWN of Ohio.
Mr. MATHIAS in two instances.
Mr. WYATT.
Mr. GOLDWATER in three instances.
Mr. PELL in three instances.
Mrs. REID of Illinois.
Mr. ANDREWS of North Dakota.
Mr. ASHBROOK in two instances.
Mr. SCHNEEBELI.
Mr. COWGER.
Mr. BROZMAN.
Mr. SCHERLE in two instances.
Mr. McDONALD of Michigan.
Mr. COLLINS in five instances.
Mr. SKUBITZ in three instances.
Mr. REID of New York.
Mr. SNYDER in two instances.
Mrs. HECKLER of Massachusetts.
Mr. DERWINSKI in two instances.
Mrs. DWYER.
Mr. GOODLING in two instances.
Mr. BOW.
Mr. ARENDS.
Mr. DEVINE.
Mr. NELSEN.
Mr. GERALD R. FORD.
Mr. LANGEN.

(The following Members (at the request of Mr. PRYOR of Arkansas) and to include extraneous matter:)

Mr. RODINO in five instances.
Mr. ROSENTHAL in five instances.
Mr. GAYDOS in three instances.
Mr. EILBERG.
Mr. ROONEY of New York.
Mr. HELSTOSKI.
Mr. HOWARD.
Mr. DINGELL.
Mr. HEBERT.
Mr. GARMATZ in two instances.
Mr. BLANTON in two instances.
Mr. ROGERS of Florida in four instances.
Mr. RARICK in three instances.
Mr. OLSEN in two instances.
Mr. BROWN of California in five instances.

Mr. WRIGHT.
Mr. GONZALEZ in two instances.
Mr. GRIFFIN in two instances.
Mr. JOHNSON of California in three instances.

Mr. SISK.
Mr. PREYER of North Carolina in two instances.

Mr. KOCH.
Mr. RYAN in three instances.
Mr. KASTENMEIER.

ADJOURNMENT

Mr. PRYOR of Arkansas. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 56 minutes p.m.), under its previous order, the House adjourned until Monday, January 26, 1970, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1525. A letter from the Secretary of Agriculture, transmitting a report covering the activities of the Rural Electrification Administration for the fiscal year 1969; to the Committee on Agriculture.

1526. A letter from the Assistant Secretary of Defense, transmitting the quarterly report of receipts and disbursements pertaining to disposal of surplus military supplies and for expenses involving the production of lumber products for the first quarter, fiscal year 1970, pursuant to the provisions of section 612, Public Law 91-171; to the Committee on Appropriations.

1527. A letter from the Director of Civil Defense, Department of the Army, transmitting the quarterly report on property acquisitions of emergency supplies for the quarter ending December 31, 1969, pursuant to the provisions of subsection 201(h) of the Federal Civil Defense Act of 1950, as amended; to the Committee on Armed Services.

1528. A letter from the Chairman, Board of Foreign Scholarships, transmitting the seventh annual report under the Mutual Educational and Cultural Exchange Act of 1961 for the period September 1, 1968-August 30, 1969, pursuant to the provisions of Public Law 87-256; to the Committee on Foreign Affairs.

1529. A letter from the Comptroller General of the United States, transmitting report on the construction of industrial facilities at Government-owned plants without disclosure to the Congress, Departments of the Navy and Air Force; to the Committee on Government Operations.

1530. A letter from the Attorney General, transmitting a report of the activities of the Community Relations Service for fiscal year 1969, pursuant to the provisions of section 1004 of Public Law 88-352 and Reorganization Plan No. 1 of 1966; to the Committee on the Judiciary.

1531. A letter from the Librarian of Congress, transmitting a report of positions in grades GS-16, GS-17, and GS-18 in the Library of Congress, pursuant to the provisions of 5 U.S.C. 5114; to the Committee on Post Office and Civil Service.

1532. A letter from the Librarian of Congress, transmitting a report of positions in grades GS-16, GS-17, and GS-18 in the Legislative Reference Service of the Library, pursuant to the provisions of 5 U.S.C. 5114; to the Committee on Post Office and Civil Service.

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. ANDERSON of Tennessee: H. Res. 791. Committee on Rules. A resolution providing

for the consideration of H.R. 860. A bill to amend section 302(c) of the Labor-Management Relations Act, 1947, to permit employer contributions for joint industry promotion of products in certain instances. (Rept. No. 91-796). Referred to the House Calendar.

Mr. COLMER: H. Res. 792. Committee on Rules. A resolution providing for the consideration of H.R. 14864. A bill to amend the Internal Security Act of 1950 to authorize the Federal Government to institute measures for the protection of defense production and of classified information released to industry against acts of subversion, and for other purposes. (Rept. No. 91-797). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BENNETT:

H.R. 15507. A bill relating to the control of organized crime in the United States; to the Committee on Judiciary.

By Mr. EDWARDS of Alabama:

H.R. 15508. A bill to amend title 5, United States Code, to correct inequities resulting from the exclusion from entitlement to severance pay of employees who, at the time of separation from the service, decline to accept employment in equivalent positions in different commuting areas, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HAGAN:

H.R. 15509. A bill to amend title 5, United States Code, to correct certain inequities in the crediting of National Guard technician service in connection with civil service retirement, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HORTON:

H.R. 15510. A bill to amend chapter 83, title 5, United States Code, to eliminate the reduction in the annuities of employees or Members who elected reduced annuities in order to provide a survivor annuity if predeceased by the person named as survivor and permit a retired employee or Member to designate a new spouse as survivor if predeceased by the person named as survivor at the time of retirement; to the Committee on Post Office and Civil Service.

By Mr. MATSUNAGA:

H.R. 15511. A bill to authorize the U.S. Commissioner of Education to establish educational programs to encourage understanding of policies and support of activities designed to enhance environmental quality and maintain ecological balance; to the Committee on Education and Labor.

By Mr. MOSS:

H.R. 15512. A bill to create a comprehensive Federal system for determining the ownership of and amount of compensation to be

paid for inventions and proposals for technical improvement made by employed persons; to the Committee on the Judiciary.

H.R. 15513. A bill to amend title 18, United States Code, to prohibit the establishment of emergency detention camps and to provide that no citizen of the United States shall be committed for detention or imprisonment in any facility of the U.S. Government except in conformity with the provisions of title 18; to the Committee on the Judiciary.

By Mr. RANDALL:

H.R. 15514. A bill to amend the Railroad Retirement Acts of 1935 and 1937 to provide a 15-percent across-the-board increase in pensions and annuities paid thereunder; to the Committee on Interstate and Foreign Commerce.

By Mr. RIVERS:

H.R. 15515. A bill to amend the act of August 11, 1959, Public Law 86-155 (73 Stat. 333), as amended, and for other purposes; to the Committee on Armed Services.

By Mr. STAGGERS:

H.R. 15516. A bill to provide for the transfer to the Federal Power Commission of all functions and administrative authority now vested in the Securities and Exchange Commission under the Public Utility Holding Company Act of 1935; to the Committee on Interstate and Foreign Commerce.

By Mr. ULLMAN:

H.R. 15517. A bill to consolidate the administration of grants and loans for basic public water and sewer facilities and waste treatment works; to the Committee on Banking and Currency.

By Mr. UTT:

H.R. 15518. A bill to amend the Tariff Act of 1930 to eliminate, in the case of shrimp vessels, the duty on repairs made to, and repair parts and equipments purchased for, such vessels in foreign countries, and for other purposes; to the Committee on Ways and Means.

By Mr. BENNETT (for himself, Mr. BROCK, Mr. BROOMFIELD, Mr. CHAPPELL, Mr. CLEVELAND, Mr. DADDARIO, Mr. DULSKI, Mr. EDMONDSON, Mr. FOLEY, Mr. HELSTOSKI, Mr. HULL, Mr. KEE, Mr. KUYKENDALL, Mr. McCLOSKEY, Mr. MIKVA, Mrs. MINK, Mr. OLSEN, Mr. PRYOR of Arkansas, Mr. PURCELL, Mr. RARICK, Mr. REIFEL, Mr. RUPPE, Mr. SAYLOR, Mr. SCHEERLE, and Mr. SKUBITZ):

H.R. 15521. A bill to amend the act of June 27, 1960 (74 Stat. 220), relating to the preservation of historical and archeological data; to the Committee on Interior and Insular Affairs.

By Mr. BENNETT (for himself, Mr. STEPHENS, Mr. TIERNAN, Mr. TUNNEY, Mr. UDALL, Mr. WALDIE, and Mr. VANIK):

H.R. 15522. A bill to amend the act of June 27, 1960 (74 Stat. 220), relating to the preservation of historical and archeological data; to the Committee on Interior and Insular Affairs.

By Mr. FASCELL:

H. Con. Res. 481. A resolution to express the sense of the Congress relating to the Middle East; to the Committee on Foreign Affairs.

By Mr. MOORHEAD:

H. Con. Res. 482. A resolution to express the sense of the House with respect to peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. PEPPER (for himself, Mr. MADDEN, Mr. DELANEY, Mr. MOORHEAD, Mr. KYROS, Mr. SISK, Mr. ADDABBO, Mr. ST. ONGE, Mr. CHAIMO, and Mr. CHARLES H. WILSON):

H. Con. Res. 483. Concurrent resolution to express the sense of the House with respect to peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. RODINO:

H. Con. Res. 484. Concurrent resolution to express the sense of the House with respect to peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. CRANE (for himself, Mr. BUCHANAN, Mr. DERWINSKI, Mr. ADDABBO, Mr. COWGER, Mr. CRAMER, Mr. DENT, Mr. McCULLOCH, Mr. MACGREGOR, Mr. POLLOCK, Mr. SIKES, Mr. WHALLEY, and Mr. WYDLER):

H. Res. 793. A resolution to express the sense of the House with respect to peace in the Middle East; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. MATSUNAGA:

H.R. 15519. A bill for the relief of Ignacio Gebella Espanola; to the Committee on the Judiciary.

H.R. 15520. A bill for the relief of Fukumatsu Sato; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII,

273. The SPEAKER presented a memorial of the Senate of the General Assembly of the Commonwealth of Kentucky, relative to establishing January 15 as a legal holiday honoring Dr. Martin Luther King, Jr.; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

377. The SPEAKER presented a petition of the chairman, National Association of State Universities and Land Grant Colleges Water Resources Committee, Pullman, Wash., relative to proposed legislation to amend the Water Resources Research Act of 1965; to the Committee on Interior and Insular Affairs.

SENATE—Thursday, January 22, 1970

The Senate met at 12 o'clock meridian and was called to order by the Vice President.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Almighty God, source of our being, sovereign ruler of men and nations, bless this land which Thou has given us. Abide in our hearts and in our homes. Strengthen our institutions. Visit our cities, towns, and countryside with a new

and lofty patriotism and with pure religion. Guide us in the use of natural resources and in the employment of the new revelations of science. Spare us from violence, panic, and enervating fear. Grant us poise and peace and spiritual power. Unite the people with their government in common devotion to the higher order and better world Thou hast promised to all who seek first the kingdom of God and His righteousness.

Bestow Thy blessing upon the Presi-

dent. Give him wisdom and strength for his solemn responsibilities, that he may grow in the knowledge of Thee and of Thy kingdom.

Through Jesus Christ our Lord. Amen.

WELCOME TO THE VICE PRESIDENT

Mr. MANSFIELD. Mr. President, welcome back.

The VICE PRESIDENT. Thank you, sir.