



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 91st CONGRESS, SECOND SESSION

HOUSE OF REPRESENTATIVES—Friday, December 11, 1970

The House met at 12 o'clock noon.
The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Make every effort to supplement your faith with virtue, and virtue with knowledge, and knowledge with self-control, and self-control with steadfastness, and steadfastness with godliness, and godliness with brotherly affection.—II Peter 1: 5, 6.

"God bless our native land!

Firm may she ever stand, through storm and night:

When the wild tempests rave,
Ruler of wind and wave,
Do Thou our country save
By Thy great might!
For her our prayer shall rise
To Thee above the skies, on Thee we wait;

Thou who art ever nigh,
Guarding with watchful eye,
To Thee aloud we cry, God save the state!

Not for this land alone,
But be Thy mercies shown from shore to shore;

And may the nations see
That men should brothers be,
And form one family the wide world o'er."

Amen.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 402]

Abbt	Caffery	Devine
Abernethy	Camp	Diggs
Adair	Carey	Dingell
Addabbo	Carney	Donohue
Ashbrook	Celler	Dowdy
Ashley	Chappell	Edmondson
Aspinall	Chisholm	Edwards, La.
Beall, Md.	Clancy	Eshleman
Bell, Calif.	Clark	Evans, Colo.
Bingham	Clay	Fallon
Blackburn	Cohelan	Farbstein
Blanton	Collier	Feighan
Bolling	Collins, Ill.	Fish
Bow	Colmer	Fisher
Brasco	Conable	Ford,
Bray	Cowger	William D.
Brock	Cramer	Fraser
Brooks	Crane	Fulton, Tenn.
Broomfield	Cunningham	Fuqua
Broyhill, Va.	Daddario	Gallagher
Burton, Utah	Davis, Ga.	Gaydos
Button	Dent	Gettys

Gialmo	McKneally	Roudebush
Gilbert	Macdonald,	Rousselot
Gray	Mass.	St Germain
Green, Pa.	Madden	Sandman
Hagan	Mann	Saylor
Hall	May	Scheuer
Halpern	Meeds	Schneebell
Hansen, Idaho	Meskill	Shipley
Hansen, Wash.	Mizell	Slack
Harrington	Mollohan	Smith, N.Y.
Harvey	Morgan	Snyder
Hawkins	Morton	Stafford
Hays	Moss	Staggers
Hébert	Murphy, Ill.	Steed
Heckler, Mass.	Murphy, N.Y.	Steele
Hollifield	Nix	Stephens
Hosmer	O'Konski	Stokes
Hungate	O'Neill, Mass.	Taft
Ichord	Ottinger	Teague, Tex.
Jacobs	Pepper	Van Deerlin
Jarman	Philbin	Waggonner
Jonas	Pike	Ware
Jones, N.C.	Pollock	Watson
Karth	Powell	Weicker
Kee	Price, Tex.	Whalley
King	Pryor, Ark.	Whitehurst
Kluczynski	Pucinski	Wiggins
Koch	Purcell	Williams
Kuykendall	Qule	Wilson,
Landrum	Randall	Charles H.
Langen	Rees	Wold
Latta	Reid, N.Y.	Wolf
Long, La.	Reifel	Wright
Lujan	Reuss	Wyatt
Lukens	Rivers	Wydler
McCarthy	Roberts	Wylie
McClory	Rooney, N.Y.	Yates
McCulloch	Rosenthal	Zion
McDade	Rostenkowski	

H.R. 19333. An act to provide greater protection for customers of registered brokers and dealers and members of national securities exchanges.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 19333) entitled "An act to provide greater protection for customers of registered brokers and dealers and members of national securities exchanges," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. SPARKMAN, Mr. PROXMIER, Mr. WILLIAMS of New Jersey, Mr. MUSKIE, Mr. BENNETT, Mr. TOWER, and Mr. PACKWOOD to be the conferees on the part of the Senate.

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

S. 4536. An act to amend the Small Business Act.

The message also announced that the Senate agreed to the action of the House on its amendment No. 6 to a bill of the Senate of the following title:

S. 368. An act to authorize the Secretary of the Interior to make disposition of geothermal steam and associated geothermal resources, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2108) entitled "An act to promote public health and welfare by expanding, improving, and better coordinating the family planning services and population research activities of the Federal Government, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3418) entitled "An act to amend the Public Health Service Act to provide for the making of grants to medical schools and hospitals to assist them in establishing special departments and programs in the field of family practice, and otherwise to encourage and promote the training of medical and paramedical personnel in the field of family medicine, and to alleviate the effects of malnutrition, and to provide for the establishment of a National Information and Resource Center for the Handicapped."

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 2162) entitled "An act to provide for special packaging to protect children from serious personal

The SPEAKER. On this rollcall, 254 Members have answered to their names, a quorum.

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

THE JOURNAL

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

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 8663. An act to amend the act of September 20, 1968 (Public Law 90-502), to provide relief to certain officers of the Supply Corps and Civil Engineer Corps of the Navy;

H.R. 14421. An act to provide for the conveyance of certain property of the United States located in Lawrence County, S. Dak., to John and Ruth Ratchetto; and

H.R. 18012. An act to amend the Foreign Service Buildings Act, 1926, to authorize additional appropriations.

The message also announced that the Senate had passed, with amendment in which the concurrence of the House is requested, a bill of the House of the following title:

injury or serious illness resulting from handling, using, or ingesting household substances, and for other purposes," agrees to a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MAGNUSON, Mr. HART, Mr. MOSS, Mr. PEARSON, and Mr. GOODELL to be the conferees on the part of the Senate.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 4262. An act to authorize the U.S. District Court for the Northern District of West Virginia to hold court at Morgantown, and

S. 4571. An act to amend the Central Intelligence Agency Retirement Act of 1964 for Certain Employees, as amended, and for other purposes.

CONFERENCE REPORT ON H.R. 18515, DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE, AND RELATED AGENCIES APPROPRIATIONS, 1971

Mr. FLOOD submitted the following conference report and statement on the bill (H.R. 18515) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1971, and for other purposes:

CONFERENCE REPORT (H. REPT. 91-1729)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 18515) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1971, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 10, 14, 18, 19, 26, 29, 30, 32, 33, 34, 37, 40, 41, 55, 56, 58, 60, 64, 65, and 67.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 6, 7, 11, 15, 20, 22, 23, 24, 36, 42, 43, 47, 48, 49, 51, 54, and 61, and agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$16,800,000"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$45,212,500"; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$28,003,000"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$107,753,000"; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and

agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$58,720,000"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$379,516,000"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$106,502,000"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$89,500,000"; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$43,938,000"; and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$230,383,000"; and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$193,479,000"; and the Senate agree to the same.

Amendment numbered 31: That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$105,807,000"; and the Senate agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$275,934,000"; and the Senate agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$141,100,000"; and the Senate agree to the same.

Amendment numbered 39: That the House recede from its disagreement to the amendment of the Senate numbered 39, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$20,769,000"; and the Senate agree to the same.

Amendment numbered 44: That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$570,390,000"; and the Senate agree to the same.

Amendment numbered 45: That the House recede from its disagreement to the amendment of the Senate numbered 45, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$1,750,000"; and the Senate agree to the same.

Amendment numbered 46: That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree

to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$11,215,000"; and the Senate agree to the same.

Amendment numbered 50: That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$33,650,000"; and the Senate agree to the same.

Amendment numbered 52: That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$76,435,000"; and the Senate agree to the same.

Amendment numbered 53: That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$34,067,000"; and the Senate agree to the same.

Amendment numbered 57: That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$7,097,000"; and the Senate agree to the same.

Amendment numbered 63: That the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$1,323,400,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 1, 8, 25, 59, 62 and 66.

DANIEL J. FLOOD,
WILLIAM H. NATCHER,
NEAL SMITH,
W. R. HULL, JR.,
BOB CASEY,
GEORGE MAHON,
ROBERT H. MICHEL,
GARNER E. SHRIVER,
CHARLOTTE T. REID,
FRANK T. BOW,

Managers on the Part of the House.

WARREN G. MAGNUSON,
JOHN STENNIS,
ALAN BIBLE,
ROBERT C. BYRD,
SPESSARD L. HOLLAND,
NORRIS COTTON,
CLIFFORD P. CASE
(except as to amendment No. 1),

HIRAM L. FONG,
J. CALEB BOGGS,
MILTON R. YOUNG,

Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 18515) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies for the fiscal year ending June 30, 1971, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

TITLE I—DEPARTMENT OF LABOR

Manpower Administration

Amendment No. 1: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment which will have the effect of appropriating \$1,504,794,000 for "Manpower training activities" instead of \$744,494,000 as

proposed by the House and \$1,546,694,000 as proposed by the Senate, and inserting provisos as proposed by the Senate. In addition to the amount included in the House bill under this heading, that bill also included \$760,100,000 for manpower training programs under the heading "Economic opportunity programs." The Senate bill transferred the appropriation for these activities to the Department of Labor. The motion which will be offered by the managers on the part of the House will provide for this transfer to the Department of Labor. Thus on a comparable basis the House bill included \$1,504,594,000 for the proposed consolidation of manpower training activities. The increase of \$200,000 included in the proposed motion is to start a "Jobs for Veterans" program to increase the number of jobs for Vietnam veterans.

Amendment No. 2: Inserts language to make funds appropriated for "Manpower Administration, salaries and expenses" available until June 30, 1972, as proposed by the Senate.

Labor-management relations

Amendment No. 3: Appropriates \$16,600,000 instead of \$16,500,000 as proposed by the House and \$16,700,000 as proposed by the Senate. The increase of \$100,000 over the appropriation proposed by the House is composed of an additional \$50,000 for the program against organized crime and an additional \$50,000 for the research program to furnish data on the construction industry needed in formulating public policy.

Wage and labor standards

Amendments Nos. 4 and 5: Appropriate \$45,212,500 for "Wage and Labor Standards Administration, salaries and expenses" instead of \$45,000,000 as proposed by the House and \$45,531,000 as proposed by the Senate, and provide that \$28,003,000 of this appropriation shall be for activities of the Wage and Hour Division instead of \$27,953,000 as proposed by the House and \$28,159,000 as proposed by the Senate. The conferees are agreed that \$162,500 of the increase over the amount provided by the House shall be for safety activities and \$50,000 shall be for additional compliance activities under the Age Discrimination in Employment Act.

Office of the Secretary

Amendments Nos. 6 and 7: Appropriate \$9,812,000 for "Salaries and expenses" as proposed by the Senate instead of \$9,752,000 as proposed by the House and provide that \$674,000 of this appropriation shall be for the President's Committee on Employment of the Handicapped as proposed by the Senate instead of \$614,000 as proposed by the House.

TITLE II—DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

Amendment No. 8: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which will have the effect of appropriating \$89,549,000 for "Food and drug control" as proposed by the House instead of \$90,399,000 as proposed by the Senate and insert language proposed by the Senate to provide that \$1,000,000 of this appropriation shall be available only for carrying out certain product injury control programs.

Environmental Health Service

Amendments Nos. 9 and 10: Appropriate \$107,753,000 for "Air pollution control" instead of \$106,003,000 as proposed by the House and \$110,503,000 as proposed by the Senate and provide that \$27,900,000 of this appropriation shall be for carrying out section 104 of the Clean Air Act as proposed by the House instead of \$28,900,000 as proposed by the Senate. The conferees are agreed that

\$1,250,000 of the increase over the amount proposed by the House will be for providing increased assistance to State and local control agencies and that \$500,000 of the increase over the amount proposed by the House will be for manpower training.

Amendments Nos. 11 and 12: Appropriate \$58,720,000 for "Environmental control" instead of \$52,580,000 as proposed by the House and \$62,000,000 as proposed by the Senate and insert citation to the Federal Coal Mine Health and Safety Act of 1969. The conferees are agreed that of the amount above the appropriation proposed by the House \$5,140,000 is to implement the Federal Coal Mine Health and Safety Act, \$500,000 is for training grants primarily in the field of solid waste disposal techniques, and \$500,000 is for the water hygiene program.

Health Services and Mental Health Administration

Amendment No. 13: Appropriates \$379,516,000 for "Mental health" instead of \$368,516,000 as proposed by the House and \$390,516,000 as proposed by the Senate. The conferees are agreed that \$10,000,000 of the increase over the amount proposed by the House shall be for staffing grants to community mental health centers and \$1,000,000 shall be for hospital improvement grants. The budget request for staffing grants was \$60,100,000 which fell \$19,228,000 short of being sufficient to finance 100 percent of approved applications on hand June 30, 1970. The House added \$20,000,000 to the budget in order to cover this shortage. The additional \$10,000,000 added in the Conference Report will be available to finance applications approved during the period June 30, 1970 to June 30, 1971. This will be sufficient to finance all but a small percentage of applications that can be approved by June 30, 1971, according to the Department's current estimates.

The managers on the part of the House agree with the language in the report of the Senate Committee on Appropriations with regard to a study on the causes of violent behavior resulting in death or critical injury to others, including the direction that \$500,000 of this appropriation be devoted to the first year operations of such a study, in keeping with the clearly expressed intent of Congress last year.

Amendment No. 14: Appropriates \$247,178,000 for "Comprehensive health planning and services" as proposed by the House instead of \$250,000,000 as proposed by the Senate.

Amendment No. 15: Appropriates \$255,659,000 for "Maternal and child health" as proposed by the Senate instead of \$255,339,000 as proposed by the House.

Amendments Nos. 16 and 17: Appropriate \$106,502,000 for "Regional medical programs" instead of \$96,502,000 as proposed by the House and \$115,000,000 as proposed by the Senate and provide that \$89,500,000 of this appropriation shall be available for grants pursuant to Title IX of the Public Health Service Act instead of \$79,500,000 as proposed by the House and \$97,998,000 as proposed by the Senate.

Amendments Nos. 18 and 19: Delete language proposed by the Senate to earmark funds in the appropriation for "Regional medical programs." However, the conferees are agreed that of the amount appropriated in excess of the amount proposed by the House; \$3,000,000 shall be for research and demonstration projects on early care for suspected coronary patients; \$2,000,000 shall be for research, training and demonstration projects in the field of kidney disease; and \$5,000,000 shall be for construction of a regional cancer center in the northwestern part of the United States.

Amendments Nos. 20 and 21: Appropriate \$43,938,000 for "Communicable diseases" instead of \$41,938,000 as proposed by the House

and \$50,000,000 as proposed by the Senate and insert legal citation.

Amendments Nos. 22, 23, and 24: Appropriate \$196,521,000 for "Medical facilities construction" as proposed by the Senate instead of \$181,521,000 as proposed by the House; provide that of the amount appropriated \$5,000,000 shall be for grants and \$10,000,000 shall be for loans for nonprofit private facilities pursuant to the District of Columbia Medical Facilities Construction Act of 1968 as proposed by the Senate; and update a legal citation.

Amendment No. 25: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which provides authority to the Secretary of Health, Education, and Welfare to issue commitments for direct loans to public agencies in accordance with section 627 of the Public Health Service Act, but not to exceed \$30,000,000 at any given time.

Amendment No. 26: Deletes paragraph proposed by the Senate which would provide \$8,703,078 for specified hospitals and related facilities without regard to the allotments and priority provisions of the Public Health Service Act.

National Institutes of Health

Amendment No. 27: Appropriates \$230,383,000 for "National Cancer Institute" instead of \$227,383,000 as proposed by the House and \$235,383,000 as proposed by the Senate. The conferees are agreed that \$3,000,000 of this appropriation shall be for the development of a cancer center at the Mary Hitchcock Memorial Hospital at Hanover, New Hampshire.

Amendment No. 28: Appropriates \$193,479,000 for "National Heart and Lung Institute" instead of \$178,479,000 as proposed by the House and \$203,479,000 as proposed by the Senate.

Amendment No. 29: Appropriates \$35,257,000 for "National Institute of Dental Research" as proposed by the House instead of \$36,257,000 as proposed by the Senate.

Amendment No. 30: Appropriates \$138,339,000 for "National Institute of Arthritis and Metabolic Diseases" as proposed by the House instead of \$140,339,000 as proposed by the Senate.

Amendment No. 31: Appropriates \$105,807,000 for "National Institute of Neurological Diseases and Stroke" instead of \$100,807,000 as proposed by the House and \$115,807,000 as proposed by the Senate.

Amendment No. 32: Appropriates \$102,249,000 for "National Institute of Allergy and Infectious Diseases" as proposed by the House instead of \$102,749,000 as proposed by the Senate.

Amendment No. 33: Appropriates \$166,072,000 for "National Institute of General Medical Sciences" as proposed by the House instead of \$171,072,000 as proposed by the Senate.

Amendment No. 34: Appropriates \$20,620,000 for "National Institute of Environmental Health Sciences" as proposed by the House instead of \$21,620,000 as proposed by the Senate.

Amendment No. 35: Appropriates \$275,934,000 for "Health manpower" instead of \$260,934,000 as proposed by the House and \$332,650,000 as proposed by the Senate. The conferees are agreed that the increase of \$15,000,000 over the appropriation proposed by the House shall be applied as follows: \$8,000,000 for institutional support of medical, dental, and related disciplines; \$500,000 for institutional support of nursing; \$500,000 for institutional support of public health; \$1,000,000 for traineeships; \$3,000,000 for direct loans to students of medicine, dentistry, and related disciplines; \$1,500,000 for direct loans to students of nursing; and \$500,000 for scholarships for

students of medicine, dentistry, and related disciplines.

Amendment No. 36: Appropriates \$11,014,000 for "Dental health" as proposed by the Senate instead of \$10,954,000 as proposed by the House.

Amendment No. 37: Appropriates \$66,201,000 for "Research resources" as proposed by the House instead of \$66,801,000 as proposed by the Senate.

Amendment No. 38: Appropriates \$141,100,000 for "Construction of health educational, research, and library facilities" instead of \$126,100,000 as proposed by the House and \$150,000,000 as proposed by the Senate. The conferees are agreed that the \$15,000,000 over the amount proposed by the House shall be applied as follows: \$13,500,000 for medical and dental schools and \$1,500,000 for nursing schools.

Amendment No. 39: Appropriates \$20,769,000 for "National Library of Medicine" instead of \$19,769,000 as proposed by the House and \$22,233,000 as proposed by the Senate. The conferees are agreed that the increase of \$1,000,000 over the appropriation proposed by the House shall be divided equally between the regular programs of the Library and the Lister Hill National Center for Biomedical Communications.

Amendment No. 40: Deletes language and an appropriation of \$15,000,000 proposed by the Senate to fund additional medical research activities of the National Institutes of Health in facilities at Fort Detrick. The conferees will expect the Department of Health, Education, and Welfare and particularly the National Institutes of Health to make a thorough study of the feasibility and desirability of this proposed new research program and be prepared to testify on this subject when hearings are held by the House and Senate Committees on Appropriations on the budget for 1972.

Office of Education

Amendment No. 41: Deletes language and appropriation of \$70,400,000 to the Office of Education to carry out the Follow Through program as proposed by the Senate. It was agreed to consider this in connection with the appropriation "Economic opportunity program" (Senate Amendment No. 63).

Social and Rehabilitation Service

Amendment No. 42: Appropriates \$98,000,000 for "Work incentives" as proposed by the Senate instead of \$120,000,000 as proposed by the House.

Amendments Nos. 43, 44, 45, 46, 47, and 48: Update legal citations; appropriate \$570,390,000 for "Rehabilitation services and facilities" instead of \$566,640,000 as proposed by the House and \$579,140,000 as proposed by the Senate; provide that \$1,750,000 of this appropriation shall be for construction grants under section 12 instead of \$3,500,000 as proposed by the Senate; and provide that \$11,215,000 of this appropriation shall be for grants under part C of the Developmental Disabilities Services and Facilities Construction Act instead of \$8,000,000 as proposed by the House and \$13,215,000 as proposed by the Senate. The conferees are agreed that \$2,000,000 of the increase above the appropriation proposed by the House shall be for facilities and services for the mentally retarded and other developmentally disabled, and that \$1,750,000 shall be for construction of rehabilitation facilities.

Amendment No. 49: Provides that certain funds under the appropriation "Rehabilitation services and facilities" shall remain available until June 30, 1973, as proposed by the Senate instead of June 30, 1972, as proposed by the House. This is in accordance with the relatively new Developmental Disabilities Services and Facilities Construction Act.

Amendments Nos. 50 and 51: Appropriate \$33,650,000 for "Programs for the aging" instead of \$32,000,000 as proposed by the House

and \$34,650,000 as proposed by the Senate; and provide that \$1,650,000 of this appropriation shall be for a White House Conference on Aging as proposed by the Senate instead of \$1,000,000 as proposed by the House. The conferees are agreed that \$500,000 of the increase above the appropriation proposed by the House shall be for the Foster Grandparents Program, that \$500,000 shall be for the Retired Senior Volunteer Program, and \$650,000 shall be for the White House Conference on Aging.

Amendment No. 52: Appropriates \$76,435,000 for "Research and training" instead of \$75,435,000 as proposed by the House and \$79,435,000 as proposed by the Senate. The conferees are agreed that the increase over the amount proposed by the House shall be for income maintenance experiments.

Amendment No. 53: Appropriates \$34,067,000 for "Salaries and expenses" instead of \$35,067,000 as proposed by the House and \$33,000,000 as proposed by the Senate.

Special institutions

Amendment No. 54: Appropriates \$1,517,000 for "American Printing House for the Blind" as proposed by the Senate instead of \$1,557,000 as proposed by the House.

Amendments Nos. 55 and 56: Appropriate \$2,432,000 for "Model Secondary School for the Deaf" as proposed by the House instead of \$4,432,000 as proposed by the Senate; and provide that \$250,000 of this appropriation shall be for construction as proposed by the House instead of \$2,250,000 as proposed by the Senate. The conferees are agreed that it would be desirable for fiscal year 1972 to include the Model Secondary School for the Deaf in the Office of Education appropriation bill which is given priority with respect to timing over the regular Labor and Health, Education, and Welfare appropriation bill. This additional appropriation for construction will be considered at that time and should be available so that the work can proceed without delay. Planning will not be completed until late in fiscal year 1971 or early in fiscal year 1972. The decision to postpone this appropriation does not in any way reflect opposition of the conferees to this project.

Amendments Nos. 57 and 58: Appropriate \$7,097,000 for "Gallaudet College" instead of \$6,870,000 as proposed by the House and \$7,225,000 as proposed by the Senate, and delete a provision proposed by the Senate that \$128,000 of the appropriation shall be for initiating an adult education program. The increase over the appropriation proposed by the House is for general expenses of Gallaudet College. The conferees request that the Department make a thorough study of the need for an adult education program for deaf persons and be prepared to discuss this with the Committees when hearings are held on the budget for fiscal year 1972, and to present suggestions with regard to the level of financing such a program and how it could best be administered.

Amendment No. 59: Reported in technical disagreement. The managers on the part of the House will offer a motion which will have the effect of appropriating \$5,917,000 for "Office of Child Development" as proposed by the House instead of \$405,417,000 as proposed by the Senate. The Senate bill included \$398,000,000 for "Head Start." The conferees agreed to consider this in connection with the appropriation "Economic opportunity program" (Senate Amendment No. 63). Thus on a comparable basis the conference agreement of \$5,917,000 is the appropriation proposed by the House and is \$1,500,000 less than the amount proposed by the Senate.

Departmental management

Amendment No. 60: Appropriates \$7,927,000 from general funds and \$947,000 from trust funds for "Office of Civil Rights" as

proposed by the House instead of \$8,874,000 from general funds and nothing from trust funds as proposed by the Senate.

Amendment No. 61: Strikes paragraph covering the appropriation to the Office of Child Development which is carried elsewhere in the bill (see Senate Amendment No. 59).

General provisions

Amendment No. 62: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which adds language making expenditures from funds appropriated for the National Technical Institute for the Deaf and the Model Secondary School for the Deaf subject to audit by the Secretary of Health, Education, and Welfare.

TITLE III—RELATED AGENCIES

Office of Economic Opportunity

Amendment No. 63: Appropriates \$1,323,400,000 for "Economic opportunity program" instead of \$2,046,200,000 as proposed by the House and \$900,400,000 as proposed by the Senate.

The proposed appropriation in the House bill was for all programs budgeted under the Office of Economic Opportunity in the President's budget for fiscal year 1971. The Senate bill carried funds for manpower programs, authorized by the Economic Opportunity Act, under the appropriations for the Department of Labor and funds for Head Start and Follow Through under appropriations to the Department of Health, Education, and Welfare. The conferees agreed to include the appropriations for OEO manpower activities under the Department of Labor, but to continue funding Head Start and Follow Through under OEO. The conferees will expect this to be the last year that appropriations for the latter two programs will be to OEO, and that the 1972 budget for Head Start and Follow Through will be included under the Department of Health, Education, and Welfare in accordance with the intention expressed in Congressional testimony.

In view of the above a comparison of the amount in the Conference Report with the appropriation proposed by the House and the appropriation proposed by the Senate lacks comparability. On a comparable basis the amount of \$1,323,400,000 is for activities proposed to be funded at the level of \$1,286,100,000 in the House bill and \$1,368,800,000 in the Senate bill. The conferees are agreed that \$360,000,000 of this appropriation shall be for the Head Start program and that \$69,000,000 shall be for the Follow Through program. The conferees also direct that the National Summer Youth Sports Program be funded from this appropriation at the level it was funded from the 1970 appropriation (\$3,000,000), and that this appropriation fund the consumer credit training program for which a separate appropriation was requested (see Senate Amendment No. 67).

A majority of the managers on the part of the House are in agreement with the language contained in the report of the Senate Committee on Appropriations with regard to recent proposals to transfer the control over legal services programs to the regional directors of OEO.

Amendments Nos. 64 and 65: Delete language proposed by the Senate to earmark funds for the legal services program and special impact programs, and language authorizing the purchase of real property for training centers.

Corporation for Public Broadcasting

Amendment No. 66: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment which will have the effect of appropriating \$23,000,000 for "Payment to the Corporation for Public Broadcasting" of

which \$3,000,000 will be available only to the extent it is matched by an equal amount of contributions from non-Federal sources instead of \$27,500,000 of which \$5,000,000 would be available only to the extent it were matched proposed by the Senate.

National Credit Union Administration

Amendment No. 67: Deletes language and appropriation of \$500,000 for expenses of the National Credit Union Administration with respect to consumer credit training proposed by the Senate. In accordance with the directions contained in this report in connection with Senate Amendment No. 63, this activity will be funded from the appropriation to "Economic opportunity program."

Conference total—with comparisons

The total new budget (obligational) authority for the fiscal year 1971 recommended by the Committee of Conference, with comparisons to the fiscal year 1970 amount, the 1971 budget estimate, and the House and Senate bills follows:

	<i>Amount</i>
New budget (obligational) authority, fiscal year	
1970 ¹ -----	\$16,517,638,485 (16,664,435,985)
Budget estimates of new (obligational) authority (as amended), fiscal year	
1971 -----	18,759,377,000
House Bill, fiscal year	
1971 -----	18,824,663,000
Senate Bill, fiscal year	
1971 ² -----	19,239,514,078
Conference agreement ³ -----	18,969,392,500
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 1970 -----	+2,451,754,015
Budget estimates of new (obligational) authority (as amended), fiscal year 1971 -----	+210,015,500
House Bill, fiscal year 1971 -----	+144,729,500
Senate Bill, fiscal year 1971 -----	-270,121,578

¹ 1970 appropriations are adjusted to reflect the limitation contained in section 410 of Public Law 91-204. The amount carried in the Act is shown in parentheses directly under the reduced figure.

² In addition the Senate included \$30,000,000 of contract authority for hospital construction which was agreed to in conference.

³ Includes amounts in amendments reported in technical disagreement.

DANIEL J. FLOOD,
WILLIAM H. NATCHER,
NEAL SMITH,
W. R. HULL, Jr.,
BOB CASEY,
GEORGE MAHON,
ROBERT H. MICHEL,
GARNER E. SHRIVER,
CHARLOTTE T. REID,
FRANK T. BOW,

Managers on the Part of the House.

APPOINTMENT OF CONFEREES ON HOUSE JOINT RESOLUTION 1117, TO ESTABLISH JOINT COMMITTEE ON THE ENVIRONMENT

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I ask unanimous consent to take from the Speaker's table the joint resolution (H.J. Res. 1117) to establish a Joint Committee on the Environment, with Senate amendments thereto, disagree to the Senate

amendments, and request a conference with the Senate thereon.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, what is this?

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

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

Mr. SISK. Mr. Speaker, this has to do with the joint resolution on the Joint Committee on the Environment which the House passed some time ago and sent over to the Senate, which would create a joint committee with that other body on the problems of the environment.

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

The SPEAKER. Is there objection to the request of the gentleman from California? The Chair hears none, and appoints the following conferees: Messrs. COLMER, SISK, and SMITH of California.

PERMISSION FOR HOUSE MANAGERS TO FILE CONFERENCE REPORT ON H.R. 17755, DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS, 1971

Mr. BOLAND. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file a conference report on the bill (H.R. 17755), making appropriations for the Department of Transportation and related agencies for the fiscal year ending June 30, 1971, and for other purposes.

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

There was no objection.

CONFERENCE REPORT (H. REPT. 91-1730)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 17755) making appropriations for the Department of Transportation and related agencies for the fiscal year ending June 30, 1971, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 15, 35, 37, 39, 42, and 43.

That the House recede from its disagreement to the amendments of the Senate numbered 5, 11, 13, 27, and 31; and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$17,535,000"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the sum named by said amendment insert "\$500,000"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows:

Restore the matter stricken by said amendment, amended to read as follows:

"CIVIL SUPERSONIC AIRCRAFT DEVELOPMENT"

"For an additional amount for expenses, not otherwise provided for, necessary for the development of a civil supersonic aircraft, including the construction of two prototype aircraft of the same design, and advances of funds without regard to the provisions of section 3648 of the Revised Statutes, as amended (31 U.S.C. 529), \$210,000,000, to remain available until expended"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$94,000,000"; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$22,500,000"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment, as follows: In lieu of the sum named by said amendment insert "\$13,000,000"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment, as follows: In lieu of the sum named by said amendment insert "\$20,000,000"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$512,500"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$14,773,500"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$69,460,500"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$4,351,365,000"; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$2,445,785,950"; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$3,580,500"; and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment, restore the matter stricken, amended to read as follows: "17,-

500,000, a part of the amount authorized to be appropriated for the fiscal year 1969"; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment, restore the matter stricken, amended to read as follows: "\$14,000,000, a part of the amount authorized to be appropriated for the fiscal year 1969"; and the Senate agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$42,935,000"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment, as follows: In lieu of the sum named by said amendment insert "\$18,000,000"; and the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$950,000"; and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$3,325,000"; and the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment, as follows: In lieu of the sum named by said amendment insert "\$6,000,000"; and the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$50,000,000"; and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment, as follows: Restore the matter stricken by said amendment, amended to read as follows:

"Sec. 303. None of the funds provided in this Act shall be available for administrative expenses in connection with commitments for grants-in-aid for airport development aggregating more than \$250,000,000 in fiscal year 1971"; and the Senate agree to the same.

Amendment numbered 34: That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment, as follows: Restore the matter stricken by said amendment, amended to read as follows:

"Sec. 304. None of the funds provided under this Act shall be available for the planning or execution of programs the obligations for which are in excess of \$8,500,000 for 'Highway Beautification' in fiscal year 1971, plus the additional amounts appropriated therefor"; and the Senate agree to the same.

Amendment numbered 36: That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$75,000,000"; and the Senate agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amend-

ment of the Senate numbered 38, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$27,750,000"; and the Senate agree to the same.

Amendment numbered 40: That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$13,000,000"; and the Senate agree to the same.

Amendment numbered 41: That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment, as follows: Restore the matter stricken by said amendment, amended to read as follows:

"Sec. 308. None of the funds provided in this Act shall be available for administrative expenses in connection with commitments for grants for Urban Mass Transportation aggregating more than \$600,000,000 in fiscal year 1971"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 6, 12, 14, 32, 44, and 45.

EDWARD P. BOLAND,
JOHN J. McFALL,
SIDNEY R. YATES
(except as to amendment No. 4),

TOM STEED
GEORGE H. MAHON,
SILVIO O. CONTE
(except as to amendment No. 4),

WILLIAM E. MINSHALL
(except as to amendment No. 4),
JACK EDWARDS,
FRANK T. BOW,

Managers on the Part of the House.

JOHN C. STENNIS,
WARREN G. MAGNUSON,
JOHN O. PASTORE
(excepting that I am opposed to the SST item),

ALAN BIBLE,
CLIFFORD P. CASE
(except as to amendment No. 4),
MARGARET CHASE SMITH,
GORDON ALLOTT,

Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 17755) making appropriations for the Department of Transportation and related agencies for the fiscal year ending June 30, 1971, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

TITLE I—DEPARTMENT OF TRANSPORTATION *Office of the Secretary*

Amendment No. 1: Appropriates \$17,535,000 for salaries and expenses instead of \$17,230,000 as proposed by the House and \$17,840,000 as proposed by the Senate.

Amendment No. 2: Deletes language proposed by the Senate.

The conferees are in agreement that the funds provided shall also be available for research into the meteorological and environmental effects of aircraft flight in the atmosphere.

Amendment No. 3: Appropriates \$500,000 for grants-in-aid for natural gas pipeline safety instead of \$1,000,000 as proposed by the Senate.

Amendment No. 4: Appropriates \$210,000,

000 for civil supersonic aircraft development instead of \$289,965,000 as proposed by the House.

The committee of conference is recommending \$210,000,000 for continuing the development of the SST at the current or most economical rate, pending further review in the next session of Congress.

Coast Guard

Amendment No. 5: Deletes language as proposed by the Senate.

Amendment No. 6: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur with the Senate amendment making the appropriation for operating expenses available for certain confidential investigative expenses.

Amendment No. 7: Appropriates \$94,000,000 for acquisition, construction, and improvements instead of \$90,000,000 as proposed by the House and \$100,000,000 as proposed by the Senate.

Amendment No. 8: Appropriates \$22,500,000 for research, development, test, and evaluation instead of \$19,500,000 as proposed by the House and \$23,000,000 as proposed by the Senate.

Amendment No. 9: Inserts language proposed by the Senate and earmarks \$13,000,000 for the national data buoy development project instead of \$13,500,000 as proposed by the Senate.

Amendment No. 10: Appropriates \$20,000,000 for the oil pollution fund instead of \$35,000,000 as proposed by the Senate.

Federal Aviation Administration

Amendment No. 11: Deletes reference to Federal Airport Act and inserts in lieu thereof Public Law 91-258 as proposed by the Senate.

Amendment No. 12: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur with the Senate amendment making the funds provided available for arms and ammunition.

Amendment No. 13: Appropriates \$951,885,000 for operations as proposed by the Senate instead of \$923,885,000 as proposed by the House.

Amendment No. 14: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment providing that \$28,000,000 of the appropriation for operations shall be derived from the Airport and Airway Trust Fund for combating highjacking, sabotage and other activities endangering the security of civil aviation.

Amendment No. 15: Appropriates \$45,000,000 for research and development as proposed by the House instead of \$47,500,000 as proposed by the Senate.

Federal Highway Administration

Amendment No. 16: Appropriates \$512,500 for the office of the Administrator, salaries and expenses, instead of \$500,000 as proposed by the House and \$525,000 as proposed by the Senate.

Amendment No. 17: Provides transfer of \$14,773,500 from the appropriation for "Federal-aid-highways (trust fund)" instead of \$14,721,000 as proposed by the House and \$14,826,000 as proposed by the Senate.

Amendment No. 18: Provides \$69,460,500 for Bureau of Public Roads, limitation on general expenses, instead of \$68,488,000 as proposed by the House and \$70,433,000 as proposed by the Senate.

Amendments Nos. 19 and 20: Appropriate \$4,351,365,000 for Federal-aid-highways (trust fund) instead of \$4,350,340,000 as proposed by the House and \$4,352,390,000 as proposed by the Senate, and provide that \$2,445,785,950 shall be derived from the fiscal year 1970 authorization instead of \$2,444,-

760,950 as proposed by the House and \$2,446,810,950 as proposed by the Senate.

Amendment No. 21: Appropriates \$3,580,500 for motor carrier safety instead of \$3,443,000 as proposed by the House and \$3,718,000 as proposed by the Senate.

Amendment No. 22: Appropriates \$17,500,000 for forest highways (liquidation of contract authorization) instead of \$15,000,000 as proposed by the House and \$20,000,000 as proposed by the Senate.

Amendment No. 23: Appropriates \$14,000,000 for public lands highways (liquidation of contract authorization) instead of \$13,000,000 as proposed by the House and \$15,000,000 as proposed by the Senate.

National Highway Safety Bureau

Amendment No. 24: Appropriates \$42,935,000 for traffic and highway safety instead of \$40,435,000 as proposed by the House and \$47,601,000 as proposed by the Senate.

Federal Railroad Administration

Amendment No. 25: Appropriates \$18,000,000 for high-speed ground transportation research and development instead of \$21,688,000 as proposed by the Senate.

No part of the reduction is to be applied to the Office's demonstration programs.

Amendment No. 26: Appropriates \$950,000 for railroad research instead of \$900,000 as proposed by the House and \$1,005,000 as proposed by the Senate.

Amendment No. 27: Inserts language proposed by the Senate earmarking not less than \$230,000 for freight car utilization studies.

Urban Mass Transportation Administration

Amendment No. 28: Appropriates \$3,325,000 for salaries and expenses instead of \$3,200,000 as proposed by the House and \$3,450,000 as proposed by the Senate. The conference agreement includes 21 positions in addition to those provided by the House.

Amendment No. 29: Appropriates \$6,000,000 for research, development, and demonstration instead of \$20,000,000 as proposed by the Senate.

TITLE II—RELATED AGENCIES

Civil Aeronautics Board

Amendment No. 30: Appropriates \$50,000,000 for payments to air carriers instead of \$27,327,000 as proposed by the House and \$58,300,000 as proposed by the Senate.

Interstate Commerce Commission

Amendment No. 31: Inserts language proposed by the Senate earmarking \$300,000 additional for the employment of car service agents.

Amendment No. 32: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur with the Senate amendment appropriating \$3,216,668 (together with such amounts as may be necessary to pay interest) for payment of loan guaranties.

TITLE III—GENERAL PROVISIONS

Amendment No. 33: Restores House provision and limits commitments for grants-in-aid for airport development to \$250,000,000 instead of \$220,000,000 as proposed by the House.

Amendment No. 34: Restores House provision and limits obligations for highway beautification to \$8,500,000, plus the additional amounts appropriated therefor instead of \$5,500,000 as proposed by the House.

Under the conference agreement virtually all currently authorized obligational authority will have been provided. When an additional authorization is enacted, the Committees on Appropriations will consider any formal supplemental request for this program.

Amendment No. 35: Restores section number as proposed by the House.

Amendment No. 36: Limits obligations for State and community highway safety to \$75,000,000 instead of \$70,000,000 as proposed by the House and \$80,000,000 as proposed by the Senate.

Amendment No. 37: Restores section number as proposed by the House.

Amendment No. 38: Limits obligations for Forest highways to \$27,750,000 instead of \$22,500,000 as proposed by the House and \$33,000,000 as proposed by the Senate.

Amendment No. 39: Restores section number as proposed by the House.

Amendment No. 40: Limits obligations for Public lands highways to \$13,000,000 instead of \$10,000,000 as proposed by the House and \$16,000,000 as proposed by the Senate.

Amendment No. 41: Restores the language proposed by the House placing a limitation on administrative expenses in connection with commitments for grants for Urban Mass Transportation, amended to provide for grants aggregating not more than \$600,000,000 instead of \$214,000,000 (plus the additional amounts appropriated therefor) as proposed by the House and no limitation as proposed by the Senate.

The conferees agree with the overall objectives of the program, but are of the opinion that the requirements of the UMTA program should be subject to annual appropriations review.

The additional amount provided over the House bill is considered to be realistic at this time inasmuch as the obligations will be made over only the last half of the current fiscal year. Program levels for future years, within the total authorized, will then be determined as the program progresses on the basis of demonstrated requirements.

Amendments Nos. 42 and 43: Restore section numbers as proposed by the House.

Amendments Nos. 44 and 45: Reported in technical disagreement. The managers on the part of the House will offer motions to recede and concur with the Senate amendments which provide amended language prohibiting any further construction of the Miami jetport or of any other air facility in the State of Florida lying south of the Okeechobee Waterway and in the drainage basins contributing water to the Everglades National Park until it has been shown by an appropriate study made jointly by the Department of the Interior and the Department of Transportation that such an airport will not have an adverse environmental effect on the ecology of the Everglades and until any site selected on the basis of such study is approved by the Department of the Interior and the Department of Transportation: Provided, that nothing in the section shall affect the availability of such funds to carry out this study.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 1971 recommended by the committee of conference, with comparisons to the fiscal year 1970 total, the 1970 budget estimate total, and the House and Senate bills follows:

New budget (obligational) authority, fiscal year 1970	1	\$2,346,365,423
Budget estimates of new (obligational) authority fiscal year 1971 (as amended)	2	2,741,827,437
House bill, fiscal year 1971	3	2,579,579,937
Senate bill, fiscal year 1971	4	2,453,923,605
Conference agreement	5	2,608,134,605
Conference agreement compared with:		
New budget (obligational) authority, fiscal year 1970		+261,769,182
Budget estimates of new (obligational) authority, fiscal year 1971 (as amended)	6	-133,692,832

House bill, fiscal year 1971	-----	+ \$28,554,668
Senate bill, fiscal year 1971	-----	+ 154,211,000

¹ Includes all appropriations for fiscal year 1970 and a \$214,000,000 advance appropriation for fiscal year 1971.

² Includes \$188,011,000 advance appropriation for fiscal year 1972.

³ Includes \$150,000,000 advance appropriation for fiscal year 1972.

⁴ Includes \$3,216,668 reported in technical disagreement.

⁵ Includes \$38,011,000 related to fiscal year 1972 budget estimate.

EDWARD P. BOLAND,
JOHN J. MCFALL,
SIDNEY R. YATES
(except as to amendment No. 4),
TOM STEED,
GEORGE MAHON,
SILVIO O. CONTE
(except as to amendment No. 4),
WILLIAM E. MINSHALL
(except as to amendment No. 4),
JACK EDWARDS,
FRANK T. BOW,

Managers on the Part of the House.

APPOINTMENT OF CONFEREES ON H.R. 19333, SECURITIES INVESTOR PROTECTION ACT OF 1970

Mr. ECKHARDT. Mr. Speaker, on behalf of the chairman of the committee, the gentleman from West Virginia (Mr. STAGGERS) I ask unanimous consent to take from the Speaker's table the bill (H.R. 19333) to provide greater protection for customers of registered brokers and dealers and members of national securities exchanges, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Texas? The Chair hears none, and appoints the following conferees: Messrs. STAGGERS, MOSS, MURPHY of New York, KEITH, and HARVEY.

EGG PRODUCTS INSPECTION ACT

Mr. STUBBLEFIELD. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 19888) to provide for the inspection of certain egg products by the U.S. Department of Agriculture; restriction on the disposition of certain qualities of eggs; uniformity of standards for eggs in interstate or foreign commerce; and cooperation with State agencies in administration of this act, and for other purposes.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 19888

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Egg Products Inspection Act".

LEGISLATIVE FINDING

SEC. 2. Eggs and egg products are an important source of the Nation's total supply of food, and are used in food in various forms. They are consumed throughout the Nation and the major portion thereof moves in interstate or foreign commerce. It is essential, in the public interest, that the health and welfare of consumers be protected by the adoption of measures prescribed herein for assuring that eggs and egg products distributed to them and used in products consumed by them are wholesome, otherwise not adulterated, and properly labeled and packaged. Lack of effective regulation for the handling or disposition of unwholesome, otherwise adulterated, or improperly labeled or packaged egg products and certain qualities of eggs is injurious to the public welfare and destroys markets for wholesome, not adulterated, and properly labeled and packaged eggs and egg products and results in sundry losses to producers and processors, as well as injury to consumers. Unwholesome, otherwise adulterated, or improperly labeled or packaged products can be sold at lower prices and compete unfairly with the wholesome, not adulterated, and properly labeled and packaged products, to the detriment of consumers and the public generally. It is hereby found that all egg products and the qualities of eggs which are regulated under this Act are either in interstate or foreign commerce, or substantially affect such commerce, and that regulation by the Secretary of Agriculture and the Secretary of Health, Education, and Welfare, and cooperation by the States and other jurisdictions, as contemplated by this Act, are appropriate to prevent and eliminate burdens upon such commerce, to effectively regulate such commerce, and to protect the health and welfare of consumers.

DECLARATION OF POLICY

SEC. 3. It is hereby declared to be the policy of the Congress to provide for the inspection of certain egg products, restrictions upon the disposition of certain qualities of eggs, and uniformity of standards for eggs, and otherwise regulate the processing and distribution of eggs and egg products as hereinafter prescribed to prevent the movement or sale for human food, of eggs and egg products which are adulterated or misbranded or otherwise in violation of this Act.

DEFINITIONS

SEC. 4. For purposes of this Act—

(a) The term "adulterated" applies to any egg or egg product under one or more of the following circumstances—

(1) if it bears or contains any poisonous or deleterious substance which may render it injurious to health; but in case the substance is not an added substance, such article shall not be considered adulterated under this clause if the quantity of such substance in or on such article does not ordinarily render it injurious to health;

(2) (A) if it bears or contains any added poisonous or added deleterious substance (other than one which is (i) a pesticide chemical in or on a raw agricultural commodity; (ii) a food additive; or (iii) a color additive) which may, in the judgment of the Secretary, make such article unfit for human food;

(B) if it is, in whole or in part, a raw agricultural commodity and such commodity bears or contains a pesticide chemical which is unsafe within the meaning of section 408 of the Federal Food, Drug, and Cosmetic Act;

(C) if it bears or contains any food additive which is unsafe within the meaning of section 409 of the Federal Food, Drug, and Cosmetic Act;

(D) if it bears or contains any color additive which is unsafe within the meaning of section 706 of the Federal Food, Drug and

Cosmetic Act: *Provided*, That an article which is not otherwise deemed adulterated under clause (B), (C), or (D) shall nevertheless be deemed adulterated if use of the pesticide chemical, food additive, or color additive, in or on such article, is prohibited by regulations of the Secretary in official plants;

(3) if it consists in whole or in part of any filthy, putrid, or decomposed substance, or if it is otherwise unfit for human food;

(4) if it has been prepared, packaged, or held under insanitary conditions whereby it may have become contaminated with filth, or whereby it may have been rendered injurious to health;

(5) if it is an egg which has been subjected to incubation or the product of any egg which has been subjected to incubation;

(6) if its container is composed, in whole or in part, of any poisonous or deleterious substance which may render the contents injurious to health;

(7) if it has been intentionally subjected to radiation, unless the use of the radiation was in conformity with a regulation or exemption in effect pursuant to section 409 of the Federal Food Drug and Cosmetic Act; or

(8) if any valuable constituent has been in whole or in part omitted or abstracted therefrom; or if any substance has been substituted, wholly or in part therefor; or if damage or inferiority has been added thereto or mixed or packed therewith so as to increase its bulk or weight, or reduce its quality or strength, or make it appear better or of greater value than it is.

(b) The term "capable of use as human food" shall apply to any egg or egg product, unless it is denatured, or otherwise identified, as required by regulations prescribed by the Secretary to deter its use as human food.

(c) The term "commerce" means interstate, foreign, or intrastate commerce.

(d) The term "container" or "package" includes any box, can, tin, plastic, or other receptacle, wrapper, or cover.

(1) The term "immediate container" means any consumer package; or any other container in which egg products, not consumer packaged, are packed.

(2) The term "shipping container" means any container used in packaging a product packed in an immediate container.

(e) The term "egg handler" means any person who engages in any business in commerce which involves buying or selling any eggs (as a poultry producer or otherwise), or processing any egg products, or otherwise using any eggs in the preparation of human food.

(f) The term "egg product" means any dried, frozen, or liquid eggs, with or without added ingredients, excepting products which contain eggs only in a relatively small proportion or historically have not been, in the judgment of the Secretary, considered by consumers as products of the egg food industry, and which may be exempted by the Secretary under such conditions as he may prescribe to assure that the egg ingredients are not adulterated and such products are not represented as egg products.

(g) The term "egg" means the shell egg of the domesticated chicken, turkey, duck, goose, or guinea.

(1) The term "check" means an egg that has a broken shell or crack in the shell but has its shell membranes intact and contents not leaking.

(2) The term "clean and sound shell egg" means any egg whose shell is free of adhering dirt or foreign material and is not cracked or broken.

(3) The term "dirty egg" means an egg that has a shell that is unbroken and has adhering dirt or foreign material.

(4) The term "incubator reject" means an egg that has been subjected to incubation and has been removed from incubation during the hatching operations as infertile or otherwise unhatchable.

(5) The term "inedible" means eggs of the following descriptions: black rots, yellow rots, white rots, mixed rots (added eggs), sour eggs, eggs with green whites, eggs with stuck yolk, moldy eggs, musty eggs, eggs showing blood rings, and eggs containing embryo chicks (at or beyond the blood ring stage).

(6) The term "leaker" an egg that has a crack or break in the shell and shell membranes to the extent that the egg contents are exposed or are exuding or free to exude through the shell.

(7) The term "loss" means an egg that is unfit for human food because it is smashed or broken so that its contents are leaking; or overheated, frozen, or contaminated; or an incubator reject; or because it contains a bloody white, large meat spots, a large quantity of blood, or other foreign material.

(8) The term "restricted egg" means any check, dirty egg, incubator reject, inedible, leaker, or loss.

(h) The term "Fair Packaging and Labeling Act" means the Act so entitled, approved November 3, 1966 (80 Stat. 1296), and Acts amendatory thereof or supplementary thereto.

(i) The term "Federal Food, Drug, and Cosmetic Act" means the Act so entitled, approved June 25, 1938 (52 Stat. 1040), and Acts amendatory thereof or supplementary thereto.

(j) The term "inspection" means the application of such inspection methods and techniques as are deemed necessary by the responsible Secretary to carry out the provisions of this Act.

(k) The term "inspector" means:

(1) any employee or official of the United States Government authorized to inspect eggs or egg products under the authority of this Act; or

(2) any employee or official of the government of any State or local jurisdiction authorized by the Secretary to inspect eggs or egg products under the authority of this Act, under an agreement entered into between the Secretary and the appropriate State or other agency.

(l) The term "misbranded" shall apply to egg products which are not labeled and packaged in accordance with the requirements prescribed by regulations of the Secretary under section 7 of this Act.

(m) The term "official certificate" means any certificate prescribed by regulations of the Secretary for issuance by an inspector or other person performing official functions under this Act.

(n) The term "official device" means any device prescribed or authorized by the Secretary for use in applying any official mark.

(o) The term "official inspection legend" means any symbol prescribed by regulations of the Secretary showing that egg products were inspected in accordance with this Act.

(p) The term "official mark" means the official inspection legend or any other symbol prescribed by regulations of the Secretary to identify the status of any article under this Act.

(q) The term "official plant" means any plant, as determined by the Secretary, at which inspection of the processing of egg products is maintained by the Department of Agriculture under the authority of this Act.

(r) The term "official standards" means the standards of quality, grades, and weight classes for eggs, in effect upon the effective date of this Act, or as thereafter amended, under the Agricultural Marketing Act of 1946 (60 Stat. 1087, as amended, 7 U.S.C. 1621 et seq.).

(s) The term "pasteurize" means the subjecting of each particle of egg products to heat or other treatments to destroy harmful viable micro-organisms by such processes as may be prescribed by regulations of the Secretary.

(t) The term "person" means any individual, partnership, corporation, association, or other business unit.

(u) The terms "pesticide chemical," "food additive," "color additive," and "raw agricultural commodity" shall have the same meaning for purposes of this Act as under the Federal Food, Drug, and Cosmetic Act.

(v) The term "plant" means any place of business where egg products are processed.

(w) The term "processing" means manufacturing egg products, including breaking eggs or filtering, mixing, blending, pasteurizing, stabilizing, cooling, freezing, drying, or packaging egg products.

(x) The term "Secretary" means the Secretary of Agriculture or his delegate.

(y) The term "State" means any State of the United States, the Commonwealth of Puerto Rico, the Virgin Islands of the United States, and the District of Columbia.

(z) The term "United States" means the States.

INSPECTION, REINSPECTION, CONDEMNATION

SEC. 5. (a) For the purpose of preventing the entry into or flow or movement in commerce of, or the burdening of commerce by, any egg product which is capable of use as human food and is misbranded or adulterated, the Secretary shall, whenever processing operations are being conducted, cause continuous inspection to be made, in accordance with the regulations promulgated under this Act, of the processing of egg products, in each plant processing egg products for commerce, unless exempted under section 15 of this Act. Without restricting the application of the preceding sentence to other kinds of establishments within its provisions, any food manufacturing establishment, institution, or restaurant which uses any eggs that do not meet the requirements of paragraph (a) (1) of section 15 of this Act in the preparation of any articles for human food shall be deemed to be a plant processing egg products, with respect to such operations.

(b) The Secretary, at any time, shall cause such retention, segregation, and reinspection as he deems necessary of eggs and egg products capable of use as human food in each official plant.

(c) Eggs and egg products found to be adulterated at official plants shall be condemned and, if no appeal be taken from such determination of condemnation, such articles shall be destroyed for human food purposes under the supervision of an inspector: *Provided*, That articles which may be reprocessing be made not adulterated need not be condemned and destroyed if so reprocessed under the supervision of an inspector and thereafter found to be not adulterated. If an appeal be taken from such determination, the eggs or egg products shall be appropriately marked and segregated pending completion of an appeal inspection, which appeal shall be at the cost of the appellant if the Secretary determines that the appeal is frivolous. If the determination of condemnation is sustained, the eggs or egg products shall be destroyed for human food purposes under the supervision of an inspector.

(d) The Secretary shall cause such other inspections to be made of the business premises, facilities, inventory, operations, and records of egg handlers, and the records and inventory of other persons required to keep records under section 11 of this Act, as he deems appropriate (and in the case of shell egg packers, packing eggs for the ultimate consumer, at least once each calendar quarter) to assure that only eggs fit for human food are used for such purpose, and otherwise to assure compliance by egg handlers and

other persons with the requirements of section 8 of this Act, except that the Secretary of Health, Education, and Welfare shall cause such inspections to be made as he deems appropriate to assure compliance with such requirements at food manufacturing establishments, institutions, and restaurants, other than plants processing egg products. Representatives of said Secretaries shall be afforded access to all such places of business for purposes of making the inspections provided for in this Act.

SANITATION, FACILITIES, AND PRACTICES

SEC. 6. (a) Each official plant shall be operated in accordance with such sanitary practices and shall have such premises, facilities, and equipment as are required by regulations promulgated by the Secretary to effectuate the purposes of this Act, including requirements for segregation and disposition of restricted eggs.

(b) The Secretary shall refuse to render inspection to any plant whose premises, facilities, or equipment, or the operation thereof, fail to meet the requirements of this section.

PASTEURIZATION AND LABELING OF EGG PRODUCTS AT OFFICIAL PLANTS

SEC. 7. (a) Egg products inspected at any official plant under the authority of this Act and found to be not adulterated shall be pasteurized before they leave the official plant, except as otherwise permitted by regulations of the Secretary, and shall at the time they leave the official plant, bear in distinctly legible form on their shipping containers or immediate containers, or both, when required by regulations of the Secretary, the official inspection legend and official plant number, of the plant where the products were processed, and such other information as the Secretary may require by regulations to describe the products adequately and to assure that they will not have false or misleading labeling.

(b) No labeling or container shall be used for egg products at official plants if it is false or misleading or has not been approved as required by the regulations of the Secretary. If the Secretary has reason to believe that any labeling or the size or form of any container in use or proposed for use with respect to egg products at any official plant is false or misleading in any particular, he may direct that such use be withheld in any particular, he may direct that such use be withheld unless the labeling or container is modified in such manner as he may prescribe so that it will not be false or misleading. If the person using or proposing to use the labeling or container does not accept the determination of the Secretary, such person may request a hearing, but the use of the labeling or container shall, if the Secretary so directs, be withheld pending hearing and final determination by the Secretary. Any such determination by the Secretary shall be conclusive unless, within thirty days after receipt of notice of such final determination, the person adversely affected thereby appeals to the United States court of appeals for the circuit in which such person has its principal place of business or to the United States Court of Appeals for the District of Columbia Circuit. The provisions of section 204 of the Packers and Stockyards Act, 1921 (42 Stat. 162, as amended; 7 U.S.C. 194), shall be applicable to appeals taken under this section.

PROHIBITED ACTS

SEC. 8. (a) (1) No person shall buy, sell, or transport, or offer to buy or sell, or offer to receive for transportation, in any business in commerce any restricted eggs, capable of use as human food, except as authorized by regulations of the Secretary under such conditions as he may prescribe to assure that only eggs fit for human food are used for such purpose.

(2) No egg handler shall possess with in-

tent to use, or use, any restricted eggs in the preparation of human food for commerce except that such eggs may be so possessed and used when authorized by regulations of the Secretary under such conditions as he may prescribe to assure that only eggs fit for human food are used for such purpose.

(b) (1) No person shall process any egg products for commerce at any plant except in compliance with the requirements of this Act.

(2) No person shall buy, sell, or transport, or offer to buy or sell, or offer to receive for transportation, in commerce any egg products required to be inspected under this Act unless they have been so inspected and are labeled and packaged in accordance with the requirements of section 7 of this Act.

(3) No operator of any official plant shall fail to comply with any requirements of paragraph (a) of section 6 of this Act or the regulations thereunder.

(4) No operator of any official plant shall allow any egg products to be moved from such plant if they are adulterated or misbranded and capable of use as human food.

(c) No person shall violate any provision of section 10, 11, or 17 of this Act.

(d) No person shall—

(1) manufacture, cast, print, lithograph, or otherwise make any device containing any official mark or simulation thereof, or any label bearing any such mark or simulation, or any form of official certificate or simulation thereof, except as authorized by the Secretary;

(2) forge or alter any official device, mark, or certificate;

(3) without authorization from the Secretary, use any official device, mark, or certificate, or simulation thereof, or detach, deface, or destroy any official device or mark; or use any labeling or container ordered to be withheld from use under section 7 of this Act after final judicial affirmation of such order or expiration of the time for appeal if no appeal is taken under said section;

(4) contrary to the regulations prescribed by the Secretary, fail to use, or to detach, deface, or destroy any official device, mark, or certificate;

(5) knowingly possess, without promptly notifying the Secretary or his representative, any official device or any counterfeit, simulated, forged, or improperly altered official certificate or any device or label, or any eggs or egg products bearing any counterfeit, simulated, forged, or improperly altered official mark;

(6) knowingly make any false statement in any shipper's certificate or other nonofficial or official certificate provided for in the regulations prescribed by the Secretary;

(7) knowingly represent that any article has been inspected or exempted, under this Act, when, in fact, it has, respectively, not been so inspected or exempted; and

(8) refuse access, at any reasonable time, to any representative of the Secretary of Agriculture or the Secretary of Health, Education, and Welfare, to any plant or other place of business subject to inspection under any provisions of this Act.

(e) No person, while an official or employee of the United States Government or any State or local governmental agency, or thereafter, shall use to his own advantage, or reveal other than to the authorized representatives of the United States Government or any State or other government in their official capacity, or as ordered by a court in a judicial proceeding, any information acquired under the authority of this Act concerning any matter which is entitled to protection as a trade secret.

FEDERAL AND STATE COOPERATION

SEC. 9. The Secretary shall, whenever he determines that it would effectuate the purposes of this Act, cooperate with appropriate State and other governmental agencies, in

carrying out any provisions of this Act. In carrying out the provisions of this Act, the Secretary may conduct such examinations, investigations, and inspections as he determines practicable through any officer or employee of any such agency commissioned by him for such purpose. The Secretary shall reimburse the States and other agencies for the costs incurred by them in such cooperative programs.

EGGS AND EGG PRODUCTS NOT INTENDED FOR HUMAN FOOD

SEC. 10. Inspection shall not be provided under this Act at any plant for the processing of any egg products which are not intended for use as human food, but such articles, prior to their offer for sale or transportation in commerce, shall be denatured or otherwise identified as prescribed by regulations of the Secretary to deter their use for human food. No person shall buy, sell, or transport or offer to buy or sell, or offer or receive for transportation, in commerce, any restricted eggs or egg products which are not intended for use as human food unless they are denatured or otherwise identified as required by the regulations of the Secretary.

RECORD AND RELATED REQUIREMENTS FOR PROCESSORS OF EGGS AND EGG PRODUCTS AND RELATED INDUSTRIES

SEC. 11. For the purpose of enforcing the provisions of this Act and the regulations promulgated thereunder, all persons engaged in the business of transporting, shipping, or receiving any eggs or egg products in commerce or holding such articles so received, and all egg handlers, shall maintain such records showing, for such time and in such form and manner, as the Secretary of Agriculture or the Secretary of Health, Education, and Welfare may prescribe, to the extent that they are concerned therewith, the receipt, delivery, sale, movement, and disposition of all eggs and egg products handled by them, and shall, upon the request of a duly authorized representative of either of said Secretaries, permit him at reasonable times to have access to and to copy all such records.

PENALTIES

SEC. 12. (a) Any person who commits any offense prohibited by section 8 of this Act shall upon conviction be subject to imprisonment for not more than one year, or a fine of not more than \$1,000, or both such imprisonment and fine, but if such violation involves intent to defraud, or any distribution or attempted distribution of any article that is known to be adulterated (except as defined in section 4(a)(8) of this Act), such person shall be subject to imprisonment for not more than three years or a fine of not more than \$10,000, or both. When construing or enforcing the provisions of section 8, the act, omission, or failure of any person acting for or employed by any individual, partnership, corporation, or association within the scope of his employment or office shall in every case be deemed the act, omission, or failure of such individual, partnership, corporation, or association, as well as of such person.

(b) No carrier or warehouseman shall be subject to the penalties of this Act, other than the penalties for violation of section 11 of this Act or paragraph (c) of this section 12, by reason of his receipt, carriage, holding, or delivery, in the usual course of business, as a carrier or warehouseman of eggs or egg products owned by another person unless the carrier or warehouseman has knowledge, or is in possession of facts which would cause a reasonable person to believe that such eggs or egg products were not eligible for transportation under, or were otherwise in violation of, this Act, or unless the carrier or warehouseman refuses to furnish on request of a representative of the

Secretary the name and address of the person from whom he received such eggs or egg products and copies of all documents, if there be any, pertaining to the delivery of the eggs or egg products to, or by, such carrier or warehouseman.

(c) Any person who forcibly assaults, resists, opposes, impedes, intimidates, or interferes with any person while engaged in or on account of the performance of his official duties under this Act shall be fined not more than \$5,000 or imprisoned not more than three years, or both. Whoever, in the commission of any such act, uses a deadly or dangerous weapon, shall be fined not more than \$10,000 or imprisoned not more than ten years, or both. Whoever kills any person while engaged in or on account of the performance of his official duties under this Act shall be punished as provided under sections 1111 and 1112 of title 18, United States Code.

REPORTING OF VIOLATIONS

SEC. 13. Before any violation of this Act is reported by the Secretary of Agriculture or Secretary of Health, Education, and Welfare to any United States attorney for institution of a criminal proceeding, the person against whom such proceeding is contemplated shall be given reasonable notice of the alleged violation and opportunity to present his views orally or in writing with regard to such contemplated proceeding. Nothing in this Act shall be construed as requiring the Secretary of Agriculture or Secretary of Health, Education, and Welfare to report for criminal prosecution violations of this Act whenever he believes that the public interest will be adequately served and compliance with the Act obtained by a suitable written notice of warning.

REGULATIONS AND ADMINISTRATION

SEC. 14. The Secretary shall promulgate such rules and regulations as he deems necessary to carry out the purposes or provisions of this Act, and shall be responsible for the administration and enforcement of this Act except as otherwise provided in paragraph (d) of section 5 of this Act.

EXEMPTIONS

SEC. 15. (a) The Secretary may, by regulation and under such conditions and procedures as he may prescribe, exempt from specific provisions of this Act—

(1) the sale, transportation, possession, or use of eggs which contain no more restricted eggs than are allowed by the tolerance in the official standards of United States consumer grades for shell eggs;

(2) the processing of egg products at any plant where the facilities and operating procedures meet such sanitary standards as may be prescribed by the Secretary, and where the eggs received or used in the manufacture of egg products contain no more restricted eggs than are allowed by the official standards of United States consumer grades for shell eggs, and the egg products processed at such plant;

(3) the sale of eggs by any poultry producer from his own flocks directly to a household consumer exclusively for use by such consumer and members of his household and his nonpaying guests and employees, and the transportation, possession, and use of such eggs in accordance with this paragraph;

(4) the processing of egg products by any poultry producer from eggs of his own flocks' production for sale of such products directly to a household consumer exclusively for use by such consumer and members of his household and his nonpaying guests and employees, and the egg products so processed when handled in accordance with this paragraph;

(5) the sale of eggs by shell egg packers on his own premises directly to household consumers for use by such consumer and

members of his household and his nonpaying guests and employees, and the transportation, possession, and use of such eggs in accordance with this paragraph;

(6) for such period of time (not to exceed two years) during the initiation of operations under this Act as the Secretary determines that it is impracticable to provide inspection, the processing of egg products at any class of plants and the egg products processed at such plants; and

(7) the sale of eggs by any egg producer with an annual egg production from less than five hundred hen flock.

(b) The Secretary may immediately suspend or terminate any exemption under paragraph (a) (2) or (6) of this section at any time with respect to any person, if the conditions of exemption prescribed by this section or the regulations of the Secretary are not being met. The Secretary may modify or revoke any regulation granting exemption under this Act whenever he deems such action appropriate to effectuate the purposes of this Act.

ENTRY OF MATERIALS INTO OFFICIAL PLANTS

SEC. 16. The Secretary may limit the entry of eggs and egg products and other materials into official plants under such conditions as he may prescribe to assure that allowing the entry of such articles into such plants will be consistent with the purposes of this Act.

IMPORTS

SEC. 17. (a) No restricted eggs capable of use as human food shall be imported into the United States except as authorized by regulations of the Secretary. No egg products capable of use as human food shall be imported into the United States unless they were processed under an approved continuous inspection system of the government of the foreign country of origin or subdivision thereof and are labeled and packaged in accordance with, and otherwise comply with the standards of this Act and regulations issued thereunder applicable to such articles within the United States. All such imported articles shall upon entry into the United States be deemed and treated as domestic articles subject to the other provisions of this Act: *Provided*, That they shall be labeled as required by such regulations for imported articles: *Provided further*, That nothing in this section shall apply to eggs or egg products purchased outside the United States by any individual for consumption by him and members of his household and his nonpaying guests and employees.

(b) The Secretary may prescribe the terms and conditions for the destruction of all such articles which are imported contrary to this section, unless (1) they are exported by the consignee within the time fixed therefor by the Secretary or (2) in the case of articles which are not in compliance solely because of misbranding, such articles are brought into compliance with this Act under supervision of authorized representatives of the Secretary.

(c) All charges for storage, cartage, and labor with respect to any article which is imported contrary to this section shall be paid by the owner or consignee, and in default of such payment shall constitute a lien against such article and any other article thereafter imported under this Act by or for such owner or consignee.

(d) The importation of any article contrary to this section is prohibited.

REFUSAL OF INSPECTION

SEC. 18. The Secretary (for such period, or indefinitely, as he deems necessary to effectuate the purposes of this Act) may refuse to provide or may withdraw inspection service under this Act with respect to any plant if he determines, after opportunity for a hearing is accorded to the applicant for, or recipient of, such service, that such applicant or recipient is unfit to engage in any

business requiring inspection under this Act, because the applicant or recipient or anyone responsibly connected with the applicant or recipient has been convicted in any Federal or State court, within the previous ten years, of (1) any felony or more than one misdemeanor under any law based upon the acquiring, handling, or distributing of adulterated, mislabeled, or deceptively packaged food or fraud in connection with transactions in food, or (2) any felony, involving fraud, bribery, extortion, or any other act or circumstances indicating a lack of the integrity needed for the conduct of operations affecting the public health.

For the purpose of this section, a person shall be deemed to be responsibly connected with the business if he is a partner, officer, director, holder, or owner of 10 per centum or more of its voting stock, or employee in a managerial or executive capacity.

The determination and order of the Secretary with respect thereto under this section shall be final and conclusive unless the affected applicant for, or recipient of, inspection service files application for judicial review within thirty days after the effective date of such order in the United States court of appeals for the circuit in which such applicant or recipient has its principal place of business or in the United States Court of Appeals for the District of Columbia Circuit. Judicial review of any such order shall be upon the record upon which the determination and order are based. The provisions of section 204 of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 194) shall be applicable to appeals taken under this section.

This section shall not affect in any way other provisions of this Act for refusal of inspection services.

ADMINISTRATIVE DETENTION

SEC. 19. Whenever any eggs or egg products subject to the Act, are found by any authorized representative of the Secretary upon any premises and there is reason to believe that they are or have been processed, bought, sold, possessed, used, transported, or offered or received for sale or transportation in violation of this Act or that they are in any other way in violation of this Act, or whenever any restricted eggs capable of use as human food are found by such a representative in the possession of any person not authorized to acquire such eggs under the regulations of the Secretary, such articles may be detained by such representative for a reasonable period but not to exceed twenty days, pending action under section 20 of this Act or notification of any Federal, State, or other governmental authorities having jurisdiction over such articles and shall not be moved by any person from the place at which they are located when so detained until released by such representative. All official marks may be required by such representative to be removed from such articles before they are released unless it appears to the satisfaction of the Secretary that the articles are eligible to retain such marks.

JUDICIAL SEIZURE PROCEEDINGS

SEC. 20. (a) Any egg or egg products that are or have been processed, bought, sold, possessed, used, transported, or offered or received for sale or transportation, in violation of this Act, or in any other way are in violation of this Act; and any restricted eggs, capable of use as human food, in the possession of any person not authorized to acquire such eggs under the regulations of the Secretary shall be liable to be proceeded against and seized and condemned, at any time, on a complaint in any United States district court or other proper court as provided in section 21 of this Act within the jurisdiction of which the articles are found. If the articles are condemned they shall, after entry of the

decree, be disposed of by destruction or sale as the court may direct and the proceeds, if sold, less the court costs and fees, and storage and other proper expenses, shall be paid into the Treasury of the United States, but the articles shall not be sold contrary to the provision of this Act, the Federal Food, Drug, and Cosmetic Act or the Fair Packaging and Labeling Act, or the laws of the jurisdiction in which they are sold: *Provided*, That upon the execution and delivery of a good and sufficient bond conditioned that the articles shall not be sold or otherwise disposed of contrary to the provisions of this Act, the Federal Food, Drug, and Cosmetic Act, the Fair Packaging and Labeling Act, or the laws of the jurisdiction in which disposal is made, the court may direct that they be delivered to the owner thereof subject to such supervision by authorized representatives of the Secretary as is necessary to insure compliance with the applicable laws. When a decree of condemnation is entered against the articles and they are released under bond, or destroyed, court costs and fees, and storage and other proper expenses shall be awarded against the person, if any, intervening as claimant thereof. The proceedings in such cases shall conform, as nearly as may be, to the supplemental rules for certain admiralty and maritime claims, except that either party may demand trial by jury of any issue of fact joined in any case, and all such proceedings shall be at the suit of and in the name of the United States.

(b) The provisions of this section shall in no way derogate from authority for condemnation or seizure conferred by other provisions of this Act, or other laws.

JURISDICTION

SEC. 21. The United States district courts and the District Court of the Virgin Islands are vested with jurisdiction specifically to enforce, and to prevent and restrain violations of, this Act, and shall have jurisdiction in all other cases, arising under this Act, except as provided in section 18 of this Act. All proceedings for the enforcement or to restrain violations of this Act shall be by and in the name of the United States. Subpenas for witnesses who are required to attend a court of the United States, in any district, may run into any other district in any such proceeding.

APPLICABILITY OF OTHER ACTS

SEC. 22. For the efficient administration and enforcement of this Act, the provisions (including penalties) of sections 6, 8, 9, and 10 of the Federal Trade Commission Act, as amended (38 Stat. 721-723, as amended; 15 U.S.C. 46, 48, 49, and 50) (except paragraphs (c) through (h) of section 6 and the last paragraph of section 9), and the provisions of subsection 409(1) of the Communications Act of 1934 (48 Stat. 1096, as amended; 47 U.S.C. 409(1)), are made applicable to the jurisdiction, powers, and duties of the Secretary in administering and enforcing the provisions of this Act and to any person with respect to whom such authority is exercised. The Secretary, in person or by such agents as he may designate, may prosecute any inquiry necessary to his duties under this Act in any part of the United States, and the powers conferred by said sections 9 and 10 of the Federal Trade Commission Act, as amended, on the district courts of the United States may be exercised for the purposes of this Act by any court designated in section 21 of this Act.

RELATION TO OTHER AUTHORITIES

SEC. 23. (a) Requirements within the scope of this Act with respect to premises, facilities, and operations of any official plant which are in addition to or different than those made under this Act may not be imposed by any State or local jurisdiction except that any such jurisdiction may impose

recordkeeping and other requirements within the scope of section 11 of this Act, if consistent therewith, with respect to any such plant.

(b) For eggs which have moved or are moving in interstate or foreign commerce, (1) no State or local jurisdiction may require the use of standards of quality, condition, weight quantity, or grade which are in addition to or different from the official Federal standards, and (2) no State or local jurisdiction other than those in noncontiguous areas of the United States may require labeling to show the State or other geographical area of production or origin: *Provided, however*, That this shall not preclude a State from requiring that the name, address, and license number of the person processing or packaging eggs, be shown on each container. Labeling, packaging, or ingredient requirements, in addition to or different than those made under this Act, the Federal Food, Drug, and Cosmetic Act and the Fair Packaging and Labeling Act, may not be imposed by any State or local jurisdiction, with respect to egg products processed at any official plant in accordance with the requirements under such Acts. However, any State or local jurisdiction may exercise jurisdiction with respect to eggs and egg products for the purpose of preventing the distribution for human food purposes of any such articles which are outside of such a plant and are in violation of any of said Federal Acts or any State or local law consistent therewith. Otherwise the provisions of of this Act shall not invalidate any law or other provisions of any State or other jurisdiction in the absence of a conflict with this Act.

(c) The provisions of this Act shall not affect the applicability of the Federal Food, Drug, and Cosmetic Act or the Fair Packaging and Labeling Act or other Federal laws to eggs, egg products, or other food products or diminish any authority conferred on the Secretary of Health, Education, and Welfare or other Federal officials by such other laws, except that the Secretary of Agriculture shall have exclusive jurisdiction to regulate official plants processing egg products and operations thereof as to all matters within the scope of this Act.

(d) The detainer authority conferred on representatives of the Secretary of Agriculture by section 19 of this Act shall also apply to any authorized representative of the Secretary of Health, Education, and Welfare for the purposes of paragraph (d) of section 5 of this Act, with respect to any eggs or egg products that are outside any plant processing egg products.

COST OF INSPECTION

SEC. 24. (a) The cost of inspection rendered under the requirements of this Act, and other costs of administration of this Act, shall be borne by the United States, except that the cost of overtime and holiday work performed in official plants subject to the provisions of this Act at such rates as the Secretary may determine shall be borne by such official plants. Sums received by the Secretary from official plants under this section shall be available without fiscal year limitation to carry out the purposes of this Act.

(b) The term "holiday" for the purposes of assessment or reimbursement of the cost of inspection performed under this Act, the Wholesome Poultry Products Act, and the Wholesome Meat Act shall mean the legal public holidays specified by the Congress in paragraph (a) of section 6103, title 5 of the United States Code.

SMALL BUSINESS ASSISTANCE

SEC. 25. (a) Section 7(b) of the Small Business Act is amended—

(1) by striking out the period at the end of paragraph (4) and inserting in lieu thereof "; and "; and

(2) by adding after paragraph (4) a new paragraph as follows:

"(5) to make such loans (either directly or in cooperation with banks or other lending institutions through agreements to participate on an immediate or deferred basis) as the Administrator may determine to be necessary or appropriate to assist any small business concern in effecting additions to or alterations in its plant, facilities, or methods of operation to meet requirements imposed by the Egg Products Inspection Act, the Wholesome Poultry and Poultry Products Act, and the Wholesome Meat Act of 1967 or State laws enacted in conformity therewith, if the Administration determines that such concern is likely to suffer substantial economic injury without assistance under this paragraph."

(b) The third sentence of section 7(b) of such Act is amended by inserting "or (5)" after "paragraph (3)".

(c) Section 4(c)(1) of the Small Business Act is amended by inserting "7(b)(5)", after "7(b)(4)".

ANNUAL REPORT

Sec. 26. (a) Not later than March 1 of each year following the enactment of this Act the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture and Forestry of the Senate a comprehensive and detailed written report with respect to—

(1) the processing, storage, handling, and distribution of eggs and egg products subject to the provisions of this title; the inspection of establishments operated in connection therewith; the effectiveness of the operation of the inspection, including the effectiveness of the operations of State egg inspection programs; and recommendations for legislation to improve such program; and

(2) the administration of section 17 of this Act (relating to imports) during the immediately preceding calendar year, including but not limited to—

(A) a certification by the Secretary that foreign plants exporting eggs or egg products to the United States have complied with requirements of this Act and regulations issued thereunder;

(B) the names and locations of plants authorized or permitted to export eggs or egg products to the United States;

(C) the number of inspectors employed by the Department of Agriculture in the calendar year concerned who were assigned to inspect plants referred to in paragraph (B) hereof and the frequency with which each such plant was inspected by such inspectors;

(D) the number of inspectors that were licensed by each country from which any imports were received and that were assigned, during the calendar year concerned, to inspect such imports and the facilities in which such imports were handled; and the frequency and effectiveness of such inspections;

(E) the total volume of eggs and egg products which was imported into the United States during the calendar year concerned from each country, including a separate itemization of the volume of each major category of such imports from each country during such year, and a detailed report of rejections of plants and products because of failure to meet appropriate standards prescribed by this title; and

(F) recommendations for legislation to improve such program.

APPROPRIATIONS

Sec. 27. Such sums as are necessary to carry out the provisions of this Act are hereby authorized to be appropriated.

SEPARABILITY OF PROVISIONS

Sec. 28. If any provision of this Act or the application thereof to any person or circumstances is held invalid, the validity of

the remainder of the Act and of the application of such provision to other persons and circumstances shall not be affected thereby.

EFFECTIVE DAY

Sec. 29. The provisions of this Act with respect to egg products shall take effect six months after enactment. Otherwise, this Act shall take effect eighteen months after enactment.

With the following committee amendment:

Page 24, lines 13 and 14, strike out the words "less than five hundred hen flock." and insert in lieu thereof the following: "a flock of 3,000 or less hens."

The committee amendment was agreed to.

Mr. MATSUNAGA. Mr. Speaker, I commend the distinguished gentleman from Kentucky (Mr. STUBBLEFIELD) for the fair manner in which he conducted consideration of the pending measure in his subcommittee. I would have been constrained to object to the gentleman's request, had it not been for the acceptance of my amendment by his committee and its inclusion in H.R. 19888. I can now rise in support of this bill.

Mr. Speaker, H.R. 19888, the egg products inspection bill, is designed primarily to assure consumers of an adequate supply of fresh, wholesome eggs, and egg products. The proponents of the measure fully realize that the sale of dirty, adulterated eggs endangers not only the health of those buying the eggs, but also the economic well-being of the egg producers who are trying to provide the public with quality eggs and egg products at reasonable prices.

As Hawaii's Representative to Congress I was deeply concerned about the effect of section 23(b) of the Senate-passed measure. Without the amendment which I proposed and which is in the House bill, the Senate bill would have killed Hawaii's egg producing industry, which adds \$7.7 million annually to the economy of the Aloha State.

The House bill provides an exemption from the labeling requirements of section 23(b) to the noncontiguous areas of the United States, including Alaska, Puerto Rico, the Virgin Islands, and Hawaii. I am grateful to the House Agriculture Committee, especially to the Chairman of its Subcommittee on Dairy and Poultry, Mr. STUBBLEFIELD, for this. I believe the committee made a responsible and just decision on this point.

Without this exemption, Hawaii's egg consumers, too, would suffer. They would be denied the right they now enjoy to choose between fresh eggs produced in Hawaii and stale eggs produced in foreign areas. Hawaii's consumers have exercised that right vigorously, to the point where fully 96 percent of the eggs sold in the Island State are island eggs, despite the fact that imported eggs sell for 9 to 10 cents per dozen less than local eggs.

With the inclusion of the exemption from the labeling requirements for noncontiguous areas, H.R. 19888 is a bill which is fair to consumers and producers alike, in Hawaii and the Nation.

I therefore urge unanimous approval. The bill was ordered to be engrossed

and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COAST GUARD REAR ADMIRAL ELLIS, WHO GAVE THE ORDER TO HAND BACK THE LITHUANIAN DEFECTOR TO THE RUSSIANS, SHOULD BE DISCIPLINED

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

Mr. STRATTON. Mr. Speaker, I believe enough evidence has now come to light both in the press and in the investigation underway in the House committee, so that it is obvious that the person primarily responsible for this shocking, stupid, and probably very costly fiasco in connection with the Lithuanian sailor who was turned back forcibly to the Russians, was the rear admiral in charge of the Boston District of the Coast Guard, Rear Adm. William Ellis, who gave the order. I believe that Admiral Ellis ought to be disciplined, and disciplined promptly, for his role in this tragic case, so that it will be clear to the whole world that we in this country are not taking this incident lightly and that we still believe in and will enforce our traditional policy of providing a refuge for people who want to defect from Soviet tyranny.

I realize that the performance of the State Department was not especially brilliant in this case either, as it has not been in other cases, but I believe the basic responsibility lies with the man who gave the unusual and incredible order to turn the defector forcibly back to the Russians. He was an admiral, after all, and when one gets to be an admiral, one is expected to be knowledgeable about many other things than just driving ships. Admiral Ellis had that responsibility. The tragic action occurred on his watch. It occurred as a result of his order, and that order flew in the face of what any schoolboy knows has been America's traditional practice and policy.

So, if we really mean business in enforcing our traditional policy of asylum to those seeking it, then I believe the responsible officer ought to be disciplined, and disciplined promptly.

IS THIS A LAMEDUCK SESSION?

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

Mr. KYL. Mr. Speaker, this is December 11. The Committee on Rules on Tuesday is supposed to bring out four new rules. Worse than that, we have several bills that are still supposed to come out of committees, committees which are not meeting. The other body talks of combining several House-passed bills into hydraheaded legislative monstrosities. We are going to get a bill on the floor very shortly with a \$2 billion expenditure which has not had 1 second of hearings in committee in either body. The Committee on House Administration is

talking about creating a new job to take care of a retiring Member, a job which we need like we need another hole in the dome. Now we hear in this body the contemplation is that we will be in session after Christmas, and in the other body they say we will adjourn by January 3. I think Members might let their thoughts be known so that the leaders can realize they will probably have to go forth to drag Members back to the Chamber and lock the doors to get a quorum after next weekend.

This is supposed to be a lameduck session, but at any moment I expect a different kind of bird to pop out of that clock and tell us exactly what kind it is.

APPOINTMENT OF THE HONORABLE GEORGE BUSH TO BE AMBASSADOR TO THE UNITED NATIONS

(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, the President of the United States today named a Member of this House, one of our colleagues, the distinguished and able gentleman from Texas, GEORGE BUSH, to be the new U.S. Ambassador to the United Nations.

As one Member of this House, I take this time to extend my congratulations both to the President and to the gentleman from Texas (Mr. Bush), upon this new assignment. It seems to me what this does is to recognize the stature of the United Nations by the administration placing in that body as the representative in the United Nations one of the most able men in this House. This post, important as it is, requires tact, sensitivity, intelligence, and integrity, and that is what the distinguished friend of all of us, GEORGE BUSH, brings to this post.

I know many Members share with me the pride and joy we have in his new position and join in extending our best wishes to GEORGE and Barbara Bush and their family.

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

Mr. STEIGER of Wisconsin. I yield to the gentleman from Arkansas.

Mr. MILLS. I want to take this occasion to join the gentleman from Wisconsin in his analysis of the appointment of our friend GEORGE BUSH to the United Nations as our Ambassador. He has worked on the Ways and Means Committee during the time he has been here. He has been a very intelligent and dedicated member of that committee. I know he will be such as our new Ambassador to the United Nations.

Mr. STEIGER of Wisconsin. I thank the distinguished chairman of the Committee on Ways and Means for his most gracious remarks.

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

Mr. STEIGER of Wisconsin. I yield to the gentleman from North Dakota.

Mr. KLEPPE. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, GEORGE BUSH is one of the very best friends I have ever had.

Not only that, but his capability in every field of endeavor in which he has been involved in my opinion has shone through.

Mr. Speaker, it pleases me that the President of the United States has recognized his talents and capability and I wish him well in his new assignment. I am sure he will do the job and do it very well.

Mr. Speaker, I wish to compliment the gentleman in the well for bringing this to the attention of the Members of the House at this time. GEORGE BUSH will exercise good judgment and decision in his new job, and I wish him the very best.

Mr. STEIGER of Wisconsin. I thank the gentleman for his comments.

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

Mr. STEIGER of Wisconsin. I yield to the gentleman from Ohio.

Mr. STANTON. Mr. Speaker, I wish to join my colleagues and the gentleman in the well in extending congratulations to our colleague, GEORGE BUSH, upon his new assignment. I also wish to take this opportunity to congratulate the President upon his selection of our colleague, GEORGE BUSH, for this most important post. I sincerely wish him well and wish to be associated with the remarks of the gentleman from Wisconsin.

Mr. STEIGER of Wisconsin. I thank the gentleman from Ohio for his very kind remarks.

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

Mr. STEIGER of Wisconsin. I yield to the gentleman from Pennsylvania.

Mr. BIESTER. Mr. Speaker, I, too, wish to be associated with the remarks of the gentleman from Wisconsin and to say that in my opinion GEORGE BUSH is one of the most extraordinary human beings I have ever known. I am proud to be his friend. I am sure he will carry and express the ideals and concerns of the American people to the United Nations with his customary warmth, energy, wit, and thoughtful eloquence.

Mr. Speaker, I congratulate the gentleman from Texas (GEORGE BUSH), upon his assignment to this most important post.

Mr. STEIGER of Wisconsin. I thank the gentleman for his remarks.

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

Mr. STEIGER of Wisconsin. I am delighted to yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I, too, wish to associate myself with the remarks of those who have spoken on the appointment of our colleague, GEORGE BUSH, as Ambassador to the United Nations. He is a very able and distinguished Member of this House. In my judgment he will perform his new duties in the highest tradition of this important office to which he has been appointed.

Mr. STEIGER of Wisconsin. I thank the distinguished majority leader for his most gracious comments.

Mr. FULTON of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. STEIGER of Wisconsin. I am happy to yield to the gentleman from Pennsylvania.

Mr. FULTON of Pennsylvania. Mr. Speaker, I appreciate the gentleman from Wisconsin yielding. I congratulate President Nixon on his appointment of Congressman GEORGE BUSH of Texas, as Chief Delegate of the United States to the United Nations.

Mr. Speaker, the position of Chief Delegate of the United States to the United Nations is one of the most important positions in the U.S. Government. Actually, this position is second in importance in U.S. foreign policy, only to the Secretary of State of the United States. The United Nation's General Assembly and Security Council, as well as the U.N. committees and agencies, are the day-to-day contacts and continuing areas for the groundwork for major policy decisions. The United Nations provides the forum for formal discussions, both public and private.

Mr. Speaker, having served as a U.S. Delegate to the United Nations in the 14th General Assembly and as a congressional adviser to our U.S. mission to the U.N. on space since 1960 to date, I know what a great challenge this position of chief U.S. delegate represents.

I know full well that with the high competence and ability of GEORGE BUSH, he can fill this responsibility well. We in Congress should feel honored to have Congressman GEORGE BUSH selected by the President for this high position. I compliment heartily both the President and my friend GEORGE BUSH upon this fine appointment, which can be so effective for the American people in intelligent work for peace and progress of all peoples in this untidy, disorganized, and dangerous world.

Mr. STEIGER of Wisconsin. I thank the distinguished gentleman for those remarks.

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

Mr. STEIGER of Wisconsin. I am happy to yield to one of our former Ambassadors, the gentleman from Missouri (Mr. SYMINGTON).

Mr. SYMINGTON. I thank the gentleman for yielding.

I, too, wish to associate myself with the remarks of the gentleman from Wisconsin and with those who have followed in their commendations to the President upon his selection of GEORGE BUSH to this high position.

Mr. Speaker, GEORGE BUSH and his family are longtime friends of mine and my family. I have traveled with GEORGE abroad. He is keenly sensitive to the cultures and problems of other peoples of the world. It is my opinion that he will bring not only that awareness to his new post, but new, fresh life to our representation in the United Nations. He also brings his lovely and gracious wife, Barbara, to a task both of them are superbly fitted to meet.

Mr. STEIGER of Wisconsin. I appreciate the gentleman's gracious comments.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. STEIGER of Wisconsin. I am happy to yield to the distinguished gentleman from Ohio.

Mr. BROWN of Ohio. Mr. Speaker, I

also wish to associate myself with the views which have been expressed by the gentleman in the well upon the selection of GEORGE BUSH as Ambassador to the United Nations and to congratulate the President for his judgment in this matter and our colleague GEORGE BUSH upon his selection to this new assignment.

Mr. Speaker, Congressman BUSH has established himself, while serving in the House of Representatives as a young, vigorous, highly intelligent, and very dedicated Member of this body, a good American and public servant who has the proper view toward the role of the United States in the world of the future.

Mr. Speaker, I am sure GEORGE BUSH will serve effectively and well in this role. I am pleased with the President's selection and hope that it will auger well, not only for our country, but for our colleague.

Mr. STEIGER of Wisconsin. Mr. Speaker, I appreciate the comments of the gentleman.

I am now happy to yield to the gentleman from Arizona (Mr. RHODES).

Mr. RHODES. Mr. Speaker, I want to associate myself with the remarks of the gentleman from Wisconsin, and the others who have expressed approval of the appointment of our colleague, the gentleman from Texas, GEORGE BUSH, as Ambassador to the United Nations.

GEORGE BUSH is indeed an extraordinary man. He has been a very effective and very capable Member of the Congress. In fact, I predict that in any walk of life in which he may participate in the future GEORGE BUSH will be capable and effective. I think at this particular time in our history and in the history of the United Nations it augurs well for both the United States and the United Nations that the talents of GEORGE BUSH will be available. He will make an extremely valuable contribution. I wish him well.

Mr. STEIGER of Wisconsin. I thank the gentleman for his comments, and I yield to the gentleman from Michigan (Mr. BROWN).

Mr. BROWN of Michigan. Mr. Speaker, I thank the gentleman for yielding.

I too wish to associate myself with the remarks of the gentleman from Wisconsin (Mr. STEIGER), and to congratulate both the President and GEORGE BUSH on this assignment. Since my first days in the Congress I have greatly enjoyed my friendship with GEORGE BUSH. I have found him to be a very warm person, very able, and one possessing the youth and vigor to carry out this important assignment.

Certainly this appointment will contribute greatly to a better reflection on this Nation in the eyes of the world.

Mr. STEIGER of Wisconsin. I appreciate the comments of the gentleman from Michigan.

Mr. LLOYD. Mr. Speaker, it is with great pleasure and gratification that I greet the announcement that President Nixon has appointed our colleague GEORGE BUSH as Ambassador to the United Nations.

The necessity for communicating in a responsible, informed, and friendly manner with representatives of the other

nations of the world is a great and overriding need of our day.

I know of no one with the capability to do a better job of stimulating discussion and friendship with other nations than GEORGE BUSH, nor do I know of anyone whose statements would be more sure and responsible.

GEORGE BUSH is superbly qualified for this sensitive position which holds so much promise and potential for service to his country and to the world.

I extend my compliments to President Nixon for making this appointment and to GEORGE BUSH for accepting it.

The position of Ambassador to the United Nations can be filled in a routine manner in which we make no progress in our relations with the other nations, or it can be filled in a manner which will expand our communications, enlarge our friendships and promote confidence and trust in the minds of the other nations with whom we dwell on this globe. Under GEORGE BUSH, I am confident that the position will achieve its fullest potential, and I can think of very few public services more vital to the future of this country than the purposeful pursuit of peace, understanding, and good will among the nations.

Mr. FOREMAN. Mr. Speaker, I am pleased to join our colleagues in extending congratulations and best wishes to our capable friend, GEORGE BUSH, in his new assignment as U.S. Ambassador to the United Nations. President Richard Nixon has made an excellent selection in naming a gentleman with the leadership abilities, youth, temperament, and experience of GEORGE BUSH as our Ambassador. I extend congratulations and best wishes not only to my good friend, GEORGE BUSH, but also to his very lovely and charming wife, Barbara, who will continue as an able and attractive representative and partner for our new Ambassador and our country. To GEORGE and Barbara and their fine family go our most sincere best wishes and heartiest congratulations on an important and challenging assignment well deserved.

GENERAL LEAVE

Mr. STEIGER of Wisconsin. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of the appointment of the Honorable GEORGE BUSH as Ambassador to the United Nations.

The SPEAKER pro tempore (Mr. BOLAND). Is there objection to the request of the gentleman from Wisconsin.

There was no objection.

EXCISE, ESTATE, AND GIFT TAX ADJUSTMENT ACT OF 1970

Mr. MATSUNAGA. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1296 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1296

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee

of the Whole House on the State of the Union for the consideration of the bill (H.R. 19868) to amend the Internal Revenue Code of 1954 to accelerate the collection of estate and gift taxes, to continue excise taxes on passenger automobiles and communications services, and for other purposes, and all points of order against said bill for failure to comply with the provisions of clause 3, Rule XIII are hereby waived. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be considered as having been read for amendment. No amendments shall be in order to said bill except amendments offered by direction of the Committee on Ways and Means, and said amendments shall be in order, any rule of the House to the contrary notwithstanding. Amendments offered by direction of the Committee on Ways and Means may be offered to any section of the bill at the conclusion of the general debate, but said amendments shall not be subject to amendment. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER pro tempore. The gentleman from Hawaii (Mr. MATSUNAGA), is recognized for 1 hour.

Mr. MATSUNAGA. Mr. Speaker, I yield 30 minutes to the gentleman from California (Mr. SMITH) pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 1296 provides for consideration of H.R. 19868, which, as reported by our Committee on Ways and Means, would amend the Internal Revenue Code of 1954 to accelerate the collection of estate and gift taxes, to continue excise taxes on passenger automobiles and communications services, and to fulfill certain other purposes. The resolution provides a closed rule with 2 hours of general debate. Because of non-compliance with the Ramseyer rule (Rule XIII, clause 3), all points of order against the bill are waived.

H.R. 19868 would continue for calendar years 1971 and 1972 the present excise taxes on passenger cars and communications services. This extension of excise taxes will provide a revenue increase in the estimated amount of \$630 million for fiscal year 1971. In fiscal year 1972, the extended excise taxes on passenger cars and communications services are expected to increase tax collections by \$1,865 million.

The bill would also shorten the period for the filing of the return and payment of estate taxes from 15 months after the decedent's death to 9 months after death. The proposed legislation would also change from an annual basis to a quarterly basis the filing of returns and the payment of gift taxes. However, an exception is made for fully charitable transfers. Because of the speedup in gift tax collections which would result from the enactment of H.R. 19868, an increase of tax revenues in the estimated sum of \$100 million is projected for fiscal year 1971. Similarly, the shortening of the period for the payment of estate taxes is expected to result in an increase

of \$1,500 million in tax receipts for fiscal year 1972.

In addition, there would be a revenue savings in interest costs because of the gift and estate tax acceleration.

Mr. Speaker, I urge the adoption of House Resolution 1296 in order that H.R. 19868 may be considered.

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

Mr. MATSUNAGA. I am happy to yield to the distinguished gentleman from Iowa.

Mr. GROSS. And so because it has been customary or fashionable or both this legislation is brought to us under a completely closed rule by which no amendments can be offered except by the committee, and there can be no amendments to the amendments offered by the committee. Is that correct?

Mr. MATSUNAGA. That is correct. As the gentleman knows, it is customary for bills out of the Committee on Ways and Means to be brought up to the floor under a closed rule.

As the gentleman well knows, tax measures are subject to all kinds of amendments, and if we were to bring this measure out on an open rule we would likely be here until January 3, 1971.

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

Mr. MATSUNAGA. I am happy to yield to my good friend from Iowa.

Mr. GROSS. The bill will be subject to amendment in its consideration under an open rule in the Senate. Is the House a lesser body? Or is it just fashionable to bring bills out in this fashion under a completely closed rule? The other body will be able to work its will on this bill.

Mr. MATSUNAGA. As the gentleman well knows this is never a lesser body—but I might say in the light of the limited time left in this session this may be a wiser body.

Mr. GROSS. I must respectfully disagree with the gentleman. The consideration of bills under closed rules lends nothing to the stature of the House of Representatives in its consideration of legislation.

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

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

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, I concur in the remarks made by the gentleman from Hawaii with two exceptions. House Resolution 1296 does not waive all points of order but only waives points of order so far as the provisions of the Ramsey rule are concerned, clause 3, rule XIII.

I doubt that there are any points of order. We have not in this instance waived them all—we have not got that far, but we have done everything else.

Then as to the other difference I have with him is as to January 3 that we will be here if we have an open rule. I think we will be lucky if we adjourn by January 19, 1971, so that we can reconvene on Tuesday, the next day, at noon on January 20, 1971.

Mr. Speaker, I reserve the balance of my time and I have no further requests for time.

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

The SPEAKER pro tempore. The question is on the resolution.

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

Mr. DERWINSKI. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

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

The question was taken; and there were—yeas 242, nays 22, not voting 170, as follows:

[Roll No. 403]

YEAS—242

Albert	Fisher	Minshall
Alexander	Flood	Mize
Anderson, Calif.	Flowers	Mizell
Anderson, Ill.	Flynt	Mollohan
Andrews, Ala.	Foley	Monagan
Andrews, N. Dak.	Ford, Gerald R.	Montgomery
Annunzio	Foreman	Moorhead
Arends	Forsythe	Morse
Baring	Fountain	Mosher
Barrett	Frelinghuysen	Murphy, Ill.
Belcher	Frey	Natcher
Bennett	Friedel	Nedzi
Berry	Fulton, Pa.	Obeys
Betts	Gallfanakis	O'Hara
Biester	Garmatz	Olsen
Blatnik	Gibbons	O'Neal, Ga.
Boggs	Goldwater	Passman
Boland	Goodling	Patman
Brademas	Griffin	Patten
Brinkley	Griffiths	Pelly
Brotzman	Grover	Perkins
Brown, Mich.	Gubser	Pettis
Brown, Ohio	Gude	Pickle
Broyhill, N.C.	Haley	Pirnie
Broyhill, Va.	Halpern	Poage
Buchanan	Hamilton	Podell
Burke, Fla.	Hammer-	Poff
Burke, Mass.	schmidt	Preyer, N.C.
Burleson, Tex.	Hanley	Price, Ill.
Burlison, Mo.	Hansen, Wash.	Price, Tex.
Burton, Calif.	Harsha	Quillen
Bush	Hechler, W. Va.	Railsback
Byrne, Pa.	Helstoski	Reid, Ill.
Byrnes, Wis.	Henderson	Rhodes
Cabell	Hogan	Riegle
Carter	Holifield	Robison
Casey	Horton	Rodino
Cederberg	Hosmer	Roe
Clausen,	Howard	Rogers, Colo.
Don H.	Hull	Rogers, Fla.
Clawson, Del.	Hunt	Rooney, N.Y.
Cleveland	Jarman	Rooney, Pa.
Collins, Tex.	Johnson, Calif.	Roth
Colmer	Johnson, Pa.	Roybal
Conte	Jonas	Ruppe
Corman	Jones, Ala.	Ruth
Coughlin	Jones, Tenn.	Satterfield
Culver	Kastenmeier	Schadeberg
Daniel, Va.	Kazen	Scheuer
Daniels, N.J.	Keith	Schneebell
Davis, Ga.	Kleppe	Schwengel
Davis, Wis.	Kyl	Scott
de la Garza	Kyros	Sebellus
Delaney	Leggett	Shriver
Dellenback	Lennon	Sikes
Denney	Lloyd	Sisk
Dickinson	Long, Md.	Slack
Dingell	McClure	Smith, Calif.
Dorn	McEwen	Smith, Iowa
Downing	McFall	Smith, N.Y.
Dulski	Macdonald,	Springer
Duncan	Mass.	Stafford
Dwyer	MacGregor	Stanton
Eckhardt	Mahon	Steiger, Ariz.
Edwards, Ala.	Marsh	Steiger, Wis.
Edwards, Calif.	Martin	Stokes
Eilberg	Matsunaga	Stratton
Erlenborn	Mayne	Stubblefield
Esch	Melcher	Stuckey
Evins, Tenn.	Michel	Sullivan
Fascell	Mikva	Symington
Feighan	Miller, Calif.	Talcott
	Mills	Taylor
	Minish	

Teague, Calif.
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tiernan
Udall
Ullman
Vander Jagt
Vanik

Vigorito
Waldie
Wampler
Watts
Whalen
White
Whitten
Wiggins
Wilson, Bob

Winn
Wright
Wyman
Yatron
Young
Zablocki
Zwach

NAYS—22

Bevill
Brown, Calif.
Chamberlain
Dennis
Derwinski
Findley
Gonzalez
Gross

Hathaway
Hicks
Hutchinson
Jacobs
Landgrebe
Lowenstein
McCloskey
McDade

McDonald,
Mich.
Miller, Ohio
Mink
Rarick
Ryan
Schmitz

NOT VOTING—170

Abbitt
Abernethy
Adair
Adams
Addabbo
Anderson, Tenn.
Ashbrook
Ashley
Aspinall
Ayres
Beall, Md.
Bell, Calif.
Biaggi
Bingham
Blackburn
Blanton
Bolling
Bow
Brasco
Bray
Brock
Brooks
Broomfield
Burton, Utah
Button
Caffery
Camp
Carey
Carney
Celler
Chappell
Chisholm
Clancy
Clark
Clay
Cohelan
Collier
Collins, Ill.
Conable
Conyers
Corbett
Cowger
Cramer
Crane
Cunningham
Daddario
Dent
Devine
Diggs
Donohue
Dowdy
Edmondson
Edwards, La.
Eshleman
Evans, Colo.
Fallon
Farbstein

Fish
Ford,
William D.
Fraser
Fulton, Tenn.
Fuqua
Gallagher
Gaydos
Gettys
Giarno
Gilbert
Gray
Green, Oreg.
Green, Pa.
Hagan
Hall
Hanna
Hansen, Idaho
Harrington
Harvey
Hastings
Hawkins
Hays
Hébert
Heckler, Mass.
Hungate
Ichord
Jones, N.C.
Karth
Kee
King
Kluczynski
Koch
Kuykendall
Landrum
Langen
Latta
Long, La.
Lujan
Lukens
McCarthy
McClory
McCulloch
McKneally
McMillan
Madden
Mailliard
Mann
Mathias
May
Meeds
Meskill
Morgan
Morton
Moss
Murphy, N.Y.
Nelsen
Nichols

Nix
O'Konski
O'Neill, Mass.
Ottinger
Pepper
Philbin
Pike
Pollock
Powell
Pryor, Ark.
Pucinski
Purcell
Quie
Randall
Rees
Reid, N.Y.
Reifel
Reuss
Rivers
Roberts
Rosenthal
Rostenkowski
Roudebush
Rousselot
St Germain
Sandman
Saylor
Scherle
Shipley
Skubitz
Snyder
Staggers
Steed
Steele
Stephens
Taft
Teague, Tex.
Tunney
Van Deerlin
Waggonner
Ware
Watson
Weicker
Whalley
Whitehurst
Whidnall
Williams
Wilson,
Charles H.
Wold
Wolf
Wyatt
Wylder
Yates
Zion

So the resolution was agreed to. The Clerk announced the following pairs:

Mr. O'Neill of Massachusetts with Mr. Camp.
Mr. Hays with Mr. Bow.
Mr. Hébert with Mr. Latta.
Mr. Teague of Texas with Mr. McClure.
Mr. Addabbo with Mr. Hastings.
Mr. Morgan with Mr. Williams.
Mr. Philbin with Mr. Mailliard.
Mr. Donohue with Mr. Sandman.
Mr. Rostenkowski with Mr. Harvey.
Mr. Shipley with Mr. Adair.
Mr. Gray with Mrs. Heckler of Massachusetts.
Mr. Edwards of Louisiana with Mr. Lukens.
Mr. Long of Louisiana with Mr. Bray.
Mr. Brooks with Mr. O'Konski.
Mr. Waggonner with Mr. Hall.
Mr. Wolf with Mr. Bell of California.
Mr. Aspinall with Mr. Skubitz.

Mr. Blaggi with Mr. Fish.
 Mr. Abernethy with Mr. Snyder.
 Mr. Celler with Mr. Wydler.
 Mr. Dent with Mr. Steele.
 Mr. Edmondson with Mr. Kuykendall.
 Mr. Gallagher with Mr. Widnall.
 Mr. Gattys with Mr. Quie.
 Mr. Green of Pennsylvania with Mr. Whaley.

Mr. Rivers with Mr. King.
 Mr. Pepper with Mr. McCullough.
 Mr. Nichols with Mr. Ayres.
 Mr. Moss with Mr. Zion.
 Mr. Mann with Mr. Nelsen.
 Mr. Charles H. Wilson with Mr. Reifel.
 Mr. Kluczynski with Mr. Beall of Maryland.
 Mr. Brasco with Mr. Reid of New York.
 Mr. Caffery with Mr. Collier.
 Mr. Carey with Mr. Corbett.
 Mr. Pike with Mr. Burton of Utah.
 Mrs. Chisholm with Mr. William D. Ford.
 Mr. McMillan with Mr. Ashbrook.
 Mr. Clay with Mr. McCarthy.
 Mr. Ottinger with Mr. Nix.
 Mr. Pryor of Arkansas with Mr. Langen.
 Mr. Fulton of Tennessee with Mr. Eshleman.

Mr. Fuqua with Mr. Lujan.
 Mr. Gaydos with Mr. Roudebush.
 Mr. Rosenthal with Mr. Diggs.
 Mr. Yates with Mr. Brock.
 Mr. Evans of Colorado with Mr. Hansen of Idaho.

Mr. Rees with Mr. Mathias.
 Mr. Staggers with Mr. Whitehurst.
 Mr. Pucinski with Mr. Hawkins.
 Mr. Blanton with Mr. Weicker.
 Mr. Anderson of Tennessee with Mr. Wold.
 Mr. Hungate with Mr. Wyatt.
 Mr. Meeds with Mr. Cowger.
 Mr. Cohelan with Mr. Collins of Illinois.
 Mr. Farbstein with Mr. Conyers.
 Mr. Landrum with Mr. Blackburn.
 Mr. Abbitt with Mr. Crane.
 Mr. Ashley with Mr. Broomfield.
 Mr. Ichord with Mr. Scherle.
 Mr. Karth with Mr. Clancy.
 Mr. Van Deerlin with Mr. Cunningham.
 Mr. Murphy of New York with Mr. Wylle.
 Mr. Purcell with Mr. Devine.
 Mr. Randall with Mr. Cramer.
 Mr. Gialmo with Mr. Ware.
 Mr. St Germain with Mr. Morton.
 Mr. Steed with Mr. Saylor.
 Mr. Stephens with Mr. Pollock.
 Mr. Jones of North Carolina with Mr. Rousset.

Mr. Carney with Mr. McKneally.
 Mr. Chappell with Mr. Taft.
 Mr. Kee with Mr. Meskill.
 Mr. Madden with Mr. Button.
 Mr. Tunney with Mr. Conable.
 Mr. Harrington with Mrs. May.
 Mr. Roberts with Mr. Watson.
 Mr. Hanna with Mr. Gilbert.
 Mr. Hagan with Mr. Fallon.
 Mr. Fraser with Mr. Powell.
 Mr. Daddario with Mr. Reuss.
 Mr. Bingham with Mr. Koch.
 Mrs. Green of Oregon with Mr. Dowdy.

Mr. CHAMBERLAIN changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

Mr. MILLS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 19868) to amend the Internal Revenue Code of 1954 to accelerate the collection of estate and gift taxes, to continue excise taxes on passenger automobiles and communications services, and for other purposes.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 19868, with Mr. HAMILTON in the chair.

The Clerk read the title of the bill.

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

The CHAIRMAN. Under the rule, the gentleman from Arkansas (Mr. MILLS) will be recognized for 1 hour, and the gentleman from Wisconsin (Mr. BYRNES) will be recognized for 1 hour.

The Chair recognizes the gentleman from Arkansas (Mr. MILLS).

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

Mr. Chairman, this bill, H.R. 9868, the Excise, Estate and Gift Tax Adjustment Act of 1970, provides \$3.4 billion in additional revenue for the fiscal year 1972, and \$700 million of additional revenue in the fiscal year 1971. This additional revenue arises both from the acceleration of collection procedure for estate and gift taxes and also from continuing the excise tax on autos and communication services at present rates for a period of 2 years.

As the gentleman from Hawaii (Mr. MATSUNAGA) pointed out during the consideration of the rule, not only should we consider the additional amount of money that will accrue to the Treasury under these changes, but we should also recognize as the money comes in more promptly it means that we pay less interest in the long run.

The acceleration of the estate and gift tax collection procedure not only gives rise to additional revenue for the period ahead but also represents a significant reform in the area of estate tax administration. The principal change in the case of the estate tax is the shortening of the time allowed to file the estate tax return and to pay the estate tax from 15 months after the decedent's death to 9 months after his death. The bill also speeds up gift tax collections by providing for the filing of returns and the payment of the tax on a quarterly, rather than an annual basis.

This acceleration in estate and gift tax collections is particularly appropriate in view of the fact that most Federal taxes are now collected on a current basis. Both the individual income tax and the corporate income tax, for example, are now collected currently under the pay-as-you-go system. Under these circumstances it is difficult to see why we should permit long lags in the payment of the estate and gift taxes that can only have the effect of forcing the Federal Government to forgo needed revenue and to incur interest charges to cover the funds which must be borrowed because of the late receipt of the revenue.

The estate tax revision is desirable, however, not only because it results in the acceleration of estate tax collections, but also because it represents a real reform in the administration of estates. I say this because the bill removes the principal reason why it frequently takes at least a year and a half and frequently several more years

to settle an estate and to distribute the property to the beneficiaries. With the provision for payment of the estate tax within 9 months of the decedent's death and with the provisions which this bill contains for the prompt discharge of liability for the executor with respect to the taxes involved, it should be possible to settle many estates within a year and a major proportion of the remainder within a short period thereafter. This is an important advance in the area of estate tax administration.

A second major portion of the bill provides for the continuation of the present 7-percent manufacturers tax on automobiles and the present 10-percent tax on communications services for 2 additional calendar years, 1971 and 1972. Under present law, these taxes are scheduled to decline to 5 percent in calendar 1971, to 3 percent in calendar 1972, and to 1 percent in 1973. They are scheduled for repeal as of the first of 1974.

In recommending this temporary continuation of the present tax rates on autos and communications services, your committee is aware of the fact that the Congress, on a number of occasions, has shown that it does not believe that these taxes should be permanent parts of our tax structure. Accordingly, we are not happy to recommend the continuation of the present rates on autos and communications services, even on a temporary basis. But the plain fact is, that in the present budgetary situation, we just cannot afford the substantial loss of revenue involved in permitting the presently scheduled reductions to take place in calendar 1971 and 1972. Nonetheless, the bill does provide a workable procedure for completely eliminating the taxes on autos and communications services over a period of time. This, as I will explain in a few moments, is done by scheduling very gradual reductions in both of these taxes, which are more realistic than the presently scheduled reductions because they involve smaller annual revenue losses.

In addition, for equity and revenue reasons, the bill makes a number of technical changes in the excise tax on autos and trucks, which I will discuss in a little while.

So much for the broad outlines of the bill. Let us turn now to some of the specific features of the legislation. As I have already indicated, the bill generally requires the estate tax return to be filed and the estate tax to be paid 9 months after the date of the decedent's death instead of 15 months after his death as under present law. This change is effective for decedents dying after December 31, 1970. It is designed not only to speed up tax collections but also to decrease the period of estate administration and to facilitate a more rapid distribution of property to beneficiaries. The present period of 15 months in most cases serves no useful purpose and frequently acts to delay the time when the beneficiaries may come into possession of the property.

The bill makes a number of changes to facilitate adjustment to the new 9-month requirement for filing the

estate tax return and paying the tax. One such change concerns the alternate valuation date. Under present law, the property included in the gross estate is valued as of the date of the decedent's death or, if the executor so elects, as of 1 year after the decedent's death. However, with a 9-month filing requirement, the present 1-year alternate valuation date would clearly be inappropriate. Accordingly, the bill provides that the alternate valuation date for property included in the gross estate is to be 6 months after the decedent's death rather than 1 year after that date.

Similarly, provision is made for avoiding the hardship that might otherwise occur in certain cases as the result of the 9-month filing and payment requirement by providing more liberal rules for extension of time for paying the estate tax. The bill, for example, makes it easier and less costly for an estate to raise funds for the payment of estate tax by providing that property acquired from decedents will be deemed to have been held for more than 6 months. This removes a present tax handicap to the sale of property obtained from a decedent for purposes of raising funds to pay estate tax. It permits gains from the sale of such property, primarily those realized by a fiduciary to be treated as long-term capital gains even though sold shortly after the death of the decedent.

Another change which is designed to prevent hardship concerns extensions of time for the payment of estate tax. If the payment of the estate tax within 9 months of the decedent's death would create hardship for the estate, the bill provides that the Commissioner may extend the time for payment of the estate tax for a period up to 12 months rather than the 6-month period provided for by present law. It is your committee's understanding that the Internal Revenue Service will be liberal in granting such extensions. Your committee's report details several examples of types of situations in which it is understood that an extension will be allowed.

In addition, the bill liberalizes the rules under which an executor can obtain discharge from personal liability for a decedent's taxes to cover cases where there is an extension of time for payment of tax. These rules also are extended to a fiduciary other than an executor—usually a trustee—holding property included in the decedent's gross estate. In addition, for decedents dying after December 31, 1973, the bill provides that an executor will be able to obtain a discharge from personal liability within 9 months after application for a discharge. This latter change is postponed until 1974 in order to allow the Internal Revenue Service enough time to prepare adequately for more rapid audit procedures.

The Internal Revenue Service has assured your committee that it will adopt a number of administrative procedures to speed up the estate tax audit process. As part of that goal, the bill authorizes the Internal Revenue Service to provide for filing of estate tax returns with either the district director or at a service center. All of these changes will decrease

the time necessary for the administration of estates and have the beneficial effect of permitting faster distributions to the beneficiaries.

Let us turn now to the provisions which speed up gift tax collections. Under the present law, the gift tax return must be filed and the gift tax must be paid by the donor by April 15 following the calendar year in which the gift was made. This permits the payment of the gift tax to be postponed for as long as 15½ months—for example, under present law, a donor who makes taxable gifts in January of 1970 has until April 15, 1971, to file his gift tax return and pay the gift tax. This treatment also has the defect of granting substantially greater tax deferral to those who make their gifts early in the year than to those making their gifts later in the year.

To accelerate payment of gift tax liabilities, the bill requires the filing of gift tax returns and the payment of gift taxes on a quarterly rather than on an annual basis. Under the new procedure, which is effective for gifts made after December 31, 1970, the gift tax return and the payment of the tax is to be due on or before the 15th day of the second month following the close of the calendar quarter in which the gift was made. For example, the gift tax return and payment for a gift made on February 1, 1971, will be due by May 15, 1971.

The bill makes no change in the structure of present law insofar as the determination of gift tax liability is concerned. The present gift tax rates, exclusions and deductions remain the same. The rate of tax on gifts made in any particular calendar quarter, for example, is to be determined by taking into account the total amount of taxable gifts which the taxpayer has made in all preceding calendar years and calendar quarters. This preserves the cumulative effect of present law with respect to the computation of the gift tax.

The bill also retains the annual \$3,000-per-donee exclusion from gross gifts. The exclusion is to be applied in the order in which the gifts are made. Thus, if a donor gives \$3,000 to "A" in January and \$2,000 to "A" in September, the donor need not file a gift tax return with respect to the January gift nor pay any gift tax with respect to that gift. However, a gift tax return and gift tax payment is due for the September gift—to be filed and paid on or before November 15—since the annual exclusion, with respect to "A," will have been exhausted.

Quarterly gift tax returns will not be required for a charitable gift. Instead the donor will be required to report charitable transfers on a return for the fourth quarter of the calendar year, or at such earlier time as he is required to file a return for a taxable gift. This exemption of charitable gifts from the quarterly returns avoids any possible disruption to existing patterns of giving to charitable organizations.

I would like to turn now to the proposed continuation of the excise taxes on passenger automobiles and communications services. Here we have had to

face up to some difficult issues. On the one hand, the Congress has many times recognized the desirability of eliminating these taxes from the revenue system. In fact, under present law, these taxes are scheduled for reduction and eventual elimination. On the other hand, in the present state of our budget, we just cannot afford the immediate large revenue losses that would be involved for fiscal 1971 and fiscal 1972 if the automatic reductions were permitted to take place on schedule.

The present bill resolves these issues by continuing for 2 years, for calendar years 1971 and 1972, the present taxes on passenger automobiles and communications services. This produces a revenue increase for fiscal 1971 amounting to \$630 million, and more importantly for the fiscal year 1972 the revenue increase amounts to an estimated \$1,865 million.

To give assurance that the excises on passenger autos and communications services do not remain a permanent feature of our tax system, the bill provides schedules for the automatic reduction and gradual elimination of these taxes. In this respect, the bill is similar to previous legislative measures which also provided for the reduction and elimination of these taxes. What is different in the pending bill, however, is that it provides for much more gradual reductions in the rates of these taxes—involving reductions of not more than 1 percentage point in any one year. This greatly increases the likelihood that the reductions will be permitted to take effect as scheduled since the revenue loss involved in any one year will be relatively small, particularly if account is taken of the normal growth in the bases of these taxes over the years.

In summary, therefore, the bill provides that the current tax rates of 7 percent for passenger automobiles and 10 percent for communications services are to continue through 1972. Beginning in calendar year 1973, the rates of these taxes are then reduced by 1 percentage point per year until they are completely eliminated as of January 1, 1982. However, as an exception to this general reduction procedure, the tax on passenger autos is kept at 5 percent from 1974 through 1977. This is done so that the communications tax, which is now higher than the auto tax, can be brought down to the same level as the auto tax, with the result that both taxes can be repealed as of the same date in 1982.

Finally, the bill makes a number of technical changes designed to make the operation of the auto and truck taxes more equitable. One such change is designed to forestall the possibility of granting unintended benefits as a result of provisions in the 1969 Tax Reform Act and prior Internal Revenue Service rulings. The legislation now before the House concerns cases where a manufacturer of an automobile or truck regularly sells to an affiliated distributor which then regularly sells to independent retailers. In such cases, the bill provides that the constructive sales price on which the tax is computed is to be 97 percent of the lowest price for which the affiliated distributor regularly sells these items in

arm's-length transactions to independent retailers. The 1969 act and prior rulings of the Internal Revenue Service would allow such manufacturers to use a constructive price for this purpose amounting to 90 percent of the lowest price for which the affiliated distributor regularly sells the items in arm's-length transactions to independent retailers. The use of such a 90-percent constructive price for the auto and truck industries is inappropriate. The 90-percent figure was designed primarily to minimize the potential impact of taxes on competition in those industries where some manufacturers regularly sell through affiliated wholesalers and where other manufacturers distribute their product through independent wholesalers. This is not the situation in the auto and truck industry since in this industry it is typical for manufacturers to distribute their products by selling directly to retailers. As matters now stand, there is a possibility that auto and truck manufacturers will create wholesale distributors which could qualify for the 90-percent treatment with a resultant revenue loss to the Government of between \$75 million and \$150 million a year. The remedial provision provided by this bill prevents this.

Questions have been raised regarding some specific aspects of this provision. The bill provides specific rules for determining what is the "lowest price" when that concept figures in a constructive sale price. These rules are to apply to the new 97-percent method provided by the bill, to the 90-percent method that I have just described that was enacted in 1969, and to the other methods used under the general constructive sale price provision. Illustrative of the methods used under the general provision are the 90-percent method used in the private ruling practice of the Service—that was the basis for the 90-percent method enacted into the code in 1969—and the 95-percent method used by the Service in a ruling published in 1962.

Other technical changes made by the bill prevent items subject to manufacturers tax from being included in the tax base more than once and also exclude from the tax base retailing or distributing markups as distinguished from manufacturing markups. The committee recognized that problems in the further manufacture area generally may be divided into two categories: First, when has an act of further manufacture occurred? Second, how is the tax to be computed in such a situation? The bill and the committee report discussion deal with the second of these problems—how to compute the tax. We believe that resolution of the computation problems will resolve most of the difficulties in this area. If experience shows otherwise, we will examine the first of these problems—what is further manufacture. The example in the committee report is based upon the Internal Revenue Service's current view of what is further manufacturing—the committee does not intend at this point to express a view on that particular point.

Still another change extends the pres-

ent exemption for camper coaches which is now granted under the truck tax to articles designed to be used primarily for camping accommodations. An example of such articles is a cap designed for mounting on pickup trucks which, upon installation and together with the truck body sides and the truck floor, provides an area for sleeping quarters.

Finally, the bill provides a mechanism to alert the purchasing public that new automobiles are subject to significant manufacturers excise tax. Under present law, a manufacturer of a new automobile is required to affix to the windshield or side windows of the automobile a label showing, among other things, the suggested retail prices of all the optional equipment, the transportation charge for delivery by the manufacturer to the dealer, and the total of these items. The bill requires that for new automobiles distributed in commerce after March 31, 1971, such labels also show that Federal excise tax was imposed and the percentage rate at which it was imposed.

In summary, the legislation now before us will significantly improve the operation of our tax system. The speedup in estate and gift tax payments which it provides will bring the collection of these taxes into line with the collection procedures for other Federal taxes which are already on a current basis. In addition, the acceleration of estate tax payments is desirable because it will make it possible to settle estates much sooner than under present law and this will mean a much more prompt distribution of property to the heirs—an objective I am sure we all favor.

Moreover, this speedup of estate and gift tax payments together with the proposed temporary continuation of the present excise tax rates on autos and communications services will significantly increase revenue in fiscal 1971 and 1972 when we will need added revenue for budgetary reasons. All these factors are reason enough for prompt adoption of this measure. But, there is additional reason for prompt approval by this body. We must move this bill to the Senate at once if there is to be time for its enactment this year. I urge the House to adopt this bill.

Mr. Chairman, I could answer any question, if there are any questions, but I think I have said enough about the bill.

Mr. ULLMAN. Mr. Chairman, I have three clarifying questions which I would like to ask. These relate not to the text of section 302 but to certain explanatory language in the Ways and Means Committee report.

First, under the heading "Further Manufacture"—report page 22, first sentence of second paragraph—it is stated as follows:

Where a person acquires a tax-paid article and makes some significant functional change to it, the resulting item is treated as a new article and the manufacturer of this new article (the "further manufacturer") is subject to tax.

It is my understanding that the excise tax law does not itself attempt to define any specific test for what constitutes "manufacture" or "further manufacture." Further, in assessing this prob-

lem courts have taken into account many different factors and considerations, and utilized a variety of tests. My question, therefore, is simply to be assured that this language in the report is merely illustrative and that the committee is not attempting thereby to formulate a new or different definition on the subject of manufacture from those which the courts have already set forth.

Mr. MILLS. I do not believe that the committee, in its action, was trying to define in detail what constituted further manufacture. I would not want to say that the committee was specifically adopting the rules of the few court cases in defining further manufacture. On the other hand, while, in general, I believe that, as the committee report indicates, further manufacture represents a significant functional change, certainly this still leaves room for plenty of questions as to what constitutes a significant change of a functional character. This whole area is one which we will watch. If the administration of it does not prove to be satisfactory, I am sure we will want to consider this again at the legislative level.

Mr. ULLMAN. My second question deals with the following language starting on line 6 of page 23 of the report:

Manufacturer 1 sells a new truck tax-paid to Manufacturer 2, who then buys a new tax-paid "fifth wheel", installs it, and sells the completed article at retail to the ultimate user. Under present law, the sale by Manufacturer 2 of the truck with fifth wheel installed is subject to manufacturers excise tax (sec. 4061(a)) and a constructive sale price is to be calculated (sec. 4216(b)(1)).

My understanding is that this example is not intended in any way to state a committee conclusion that installation of a fifth wheel on a new tax-paid truck does, in fact, constitute "manufacture." Rather, it is intended merely to illustrate the Internal Revenue Service's present position as represented to the committee on this subject. I would point out that no court cases to date upholding such a position have been called to our attention, nor, in fact, has the Internal Revenue Service so far issued any public ruling to this effect. In sum, my question is simply to clarify the fact that this example represents only the Service's position rather than an attempt to state present law.

Mr. MILLS. As you know, the Internal Revenue Service holds that an installation of a fifth wheel constitutes further manufacture. In this bill we dealt with the question of how to determine what is the manufacturer's price where further manufacture occurs. If one assumes that the installation of a fifth wheel constitutes further manufacture, then the illustration in the committee report indicates how one computes the tax in that case. The specific question as to what constitutes further manufacture is not dealt with in this legislation. As I have indicated, only the questions arising with the Service in this regard well may be a matter that Congress will want to consider further in the future.

Mr. ULLMAN. My third question requests clarification of the following language starting on line 40 of page 24 of the report:

Your committee understands that the recent rulings of the Internal Revenue Service changing the circumstances under which further manufacture is said to have occurred, will not be applied retroactively.

I understand that there have been several recent published rulings by the Internal Revenue Service dealing with various aspects of further manufacture, and that this language states that in such cases only further manufacturing operations undertaken after the date of such rulings are to be considered taxable. However, as noted previously, in the case of the fifth wheel installation, and in addition certain other areas of minor modifications by truck dealers, such as the installation of logging bunks and the shortening or lengthening of the frame, no published rulings have as yet been forthcoming although a few individual assessments have been made by IRS field auditors. My question, therefore, is to clarify that it is the committee's intent that as to such prospective rulings by the Internal Revenue Service, individual assessments or collections will not be made in these additional areas until such time as the Internal Revenue Service publishes such rulings with regard thereto, and that such rulings will apply only to transactions undertaken after the effective date of such rulings.

Mr. MILLS. As I indicated in my reply to your first two questions, this bill does not specifically deal with the issue of what constitutes further manufacture. Therefore, it is impossible for me to state that the committee, in acting on this bill, has said to the Service: "When you define further manufacture, do not apply it retroactively." However, I would believe that as a general rule, wherever the Service defines further manufacture to include something that was not generally thought to be further manufacture in the past, that such a ruling should be made prospective only. The Service has the right to make rules of this type prospective only, and I would think that good judgment on their part where there was any significant change in the Service's position in this regard would be to seek prospective application only. Should the Service's attitude in this not turn out as we think it should, I am sure that in any further legislation on this subject this is a matter which we can take into account.

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

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

Mr. GROSS. Were not most, if not all, of these taxes initiated as temporary taxes in 1941?

Mr. MILLS. No, sir. The tax on automobiles predate that year. That manufacturers' tax was first enacted earlier than 1941. It is my recollection the telephone tax was enacted in 1941 but we have had a tax on automobiles for many years.

Mr. GROSS. That and other taxes which are contained in this legislation were enacted as temporary taxes 29 years ago; is that not correct?

Mr. MILLS. That is true of the tax on telephones, but I call my friend's attention to the fact that the first automo-

bile manufacturers' tax was enacted in 1917, and it has been with us most of the years since that time.

There is a feature of this bill that I would like to emphasize again. From reading of the report you can see that at the end of 1972, the rate is allowed to drop on both the automobile tax and the telephone tax by no more than 1 percentage point per year until the rates are entirely removed. We have done this because we have a very sincere desire in our committee, and I understand the Treasury has the same desire, that at the end of this 2-year period these rates should actually begin dropping and eventually disappear. There is too much money in these two taxes to let them disappear all at one time or even to let them decline at the rates previously scheduled. The intention in the new schedules is to let the rates go down only very gradually so the reductions in any 1 year will not be so large that the Treasury will look at the revenue and ask us to maintain existing rates.

Mr. GROSS. This legislation is proof positive of the old saying that there is nothing so permanent in Washington, D.C., as something which originated as a temporary measure.

Mr. MILLS. I would call the attention of my friend to the fact that there seems to be nothing so permanent as a continued deficit, fiscal year to fiscal year, in our present situation.

Mr. GROSS. The surtax was as much a tax as these we are discussing here. They are all taxes.

Mr. MILLS. That is true. They are all taxes. There is no question about that.

Mr. GROSS. And the distinguished gentleman from Arkansas predicated his support for the surtax upon the basis that there would be concurrent reductions in spending; did he not?

Mr. MILLS. There was some reduction in spending as a result but not to the extent that I would have desired.

Mr. GROSS. So the surtax was permitted to expire and is no longer being levied, but these taxes are being continued even though spending increases.

Mr. MILLS. Right.

Mr. GROSS. So these taxes are not being conditioned upon a reduction in spending on the part of the Congress or the administration.

Mr. MILLS. The gentleman is correct. The gentleman knows that there has been enacted for this fiscal year a spending limitation by the Appropriations Committee. I do not know how well it has worked. Of course, one Congress cannot bind another Congress in that respect. The Congress can always raise its limits in subsequent action if it wants to do so, but we are in a very serious fiscal situation. I have said that repeatedly for the last several years.

The thing that impresses me the most about it is that we are not planning these deficits. We just are not able to prevent them from occurring. It is one thing to plan them, and it is quite another not to be able to prevent them from occurring.

Mr. GROSS. If the gentleman will permit me, I would have to disagree that we cannot prevent them. We are spending as if we are bent on bankruptcy.

Mr. MILLS. What I meant is that we are not preventing the deficits. I should not have said we cannot do it. What I meant is that we are not doing it.

Mr. GROSS. I think that is better. I am sure we could cut spending if there was the will to do so.

Mr. MILLS. We can do it if we want to, but that is not being done.

Mr. Chairman, I would urge the House to accept this bill from the Ways and Means Committee.

Mr. BYRNES of Wisconsin. Mr. Chairman, I rise in support of H.R. 19868, the Excise, Estate and Gift Tax Adjustment Act of 1970.

Inasmuch as this bill has been discussed so thoroughly by the chairman of the Committee on Ways and Means, there is no need for me to go into similar detail.

I would, however, like to summarize my particular views on the three major elements of the legislation.

Although I am sure that all of us would prefer to do away with the excise tax on automobiles and communications services in accordance with the scheduled phase-out in existing law, this is not feasible in view of our current budgetary needs. If the current rates, which are extended for 2 years by this bill, are reduced as scheduled, Federal revenues would be reduced by \$630 million in the current fiscal year, and \$1.8 billion in fiscal year 1972.

I have often remarked in the past that nothing is so permanent as a temporary tax. This statement has an uncomfortable degree of truth in the area of excise taxes on automobiles and telephone service. However, I believe the legislation before us, in providing for a gradual phase-out of these taxes over a 10-year period, will enable us to achieve our goal of eliminating these levies. Since under this phase-out, the rates will decline at most by only one percentage point annually, the revenue loss in any single year should not assume critical proportions in the Federal budget picture. The likelihood of any future extension based solely on revenue need would, therefore, be lessened.

The provisions of this bill for accelerated payment of estate taxes is a considerably altered version of the proposal originally presented by the administration. The original proposal would have required the payment of an estimated estate tax 7 months after death. The bill does not require an estimated payment, but instead, shortens the time for filing the estate tax return and paying the estate tax from 15 months to 9 months after death.

Accompanying changes shift the alternate valuation date for estate assets from 1 year to 6 months after death, and amends the holding period rule so that any property included in the gross estate which is sold within 6 months after death would be given long-term capital gains treatment. Additionally, the bill contains provisions that, along with full cooperation promised by the Treasury Department, will expedite the audit and processing of income tax returns and the release of executors and

other fiduciaries from personal responsibility.

The proposals included in the committee's bill, which were worked out by the Treasury Department with the cooperation and endorsement of various bar associations, professional fiduciaries, and other taxpayers and their representatives, will significantly shorten the period of time required to complete the administration of an estate. Criticism is justifiably made in many cases, particularly by beneficiaries, about the unduly long time required for final distribution of the assets, in part attributable to procedural tax problems that are greatly ameliorated by this bill.

The proposal, in providing for a more current payment of estate tax liabilities, will result in a one-time revenue gain in fiscal year 1972 of \$1.5 billion, and will reduce borrowing costs in fiscal year 1972 and future years.

During committee deliberations on the legislation, considerable concern was expressed about estate liquidity problems. The committee gave careful consideration to these problems and included provisions to insure that this bill will not have an adverse impact on liquidity. Although the estate tax proposal would shorten the payment time from 15 to 9 months, provisions of the bill would permit the Treasury to grant an extension up to 12 month time—permitting a total period of 21 months—where reasonable cause is shown.

Under existing law, undue hardship must be shown in order for an additional 6-months period to be granted, giving an estate a total of 21 months to pay the estate tax—the same total period that may be granted under the bill where warranted.

Further, it should be noted that the bill would not alter another part of existing law which provides for extensions of up to 10 years in cases of undue hardship, or where the estate owns a substantial interest in a closely held business.

As for the third major element of this measure, which would place the payment of gift taxes on a quarterly instead of a yearly basis, it was the committee consensus that there is no reason why donors of gifts should enjoy substantially greater tax deferral privileges than are presently accorded taxpayers generally.

Most Federal levies, including the income tax, are payable on a current basis. Under existing law, the gift tax is not payable until 3½ months after the close of the year in which a gift is made. This can result in payment of the tax more than 15 months after the date of a taxable gift. The bill before the House provides for quarterly filing of gift tax returns. Placing payment of these taxes on a more current basis results in a one-time revenue gain of \$100 million in the current fiscal year and will result in additional savings in Government borrowing costs.

Mr. Chairman, this bill provides needed revenue in a context that includes real improvements in our revenue laws. I urge all of my colleagues to join me in supporting this legislation.

Mr. Chairman, I yield 10 minutes to the gentleman from Michigan (Mr. CHAMBERLAIN).

Mr. CHAMBERLAIN. Mr. Chairman, I rise in opposition to title II of H.R. 19869 that would postpone once again the long-promised and long-delayed phaseout of the excise tax on new passenger automobiles.

As I view it, the fundamental question before us is the credibility of the Congress. The issue about whether such a tax is justified was settled back in 1965 when the Congress declared the auto excise tax to be a patently unfair levy singling out one group of workers, consumers, and businesses to bear an unequal tax burden. Nevertheless, Congress has acted to continue this tax for the past 5 years. I say it is time the Congress kept its word.

The familiar adage that "there is nothing so permanent as a temporary tax" may well be older than the auto excise tax, but there certainly can be no better example.

Perhaps it would be well, for the record, to review the history of this tax, which is nearly as old as the Federal income tax.

It first went on the books in 1917 at a 3-percent rate.

In 1919, it was raised to 5 percent.

In 1926, it went back to 3 percent.

In 1928, it was repealed entirely.

In 1932, it was restored at 3 percent.

In 1940, it rose to 3½ percent.

Then in 1941, it was doubled to 7 percent to provide revenue, to discourage auto production and help direct our national energies to war needs.

In 1951, it went up to 10 percent for basically the same reasons.

Here it stayed, with the Congress each year going through the ritual of extending it "temporarily" for 1 more year during 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, and 1964, until the passage of the Excise Tax Reduction Act of 1965 when Congress finally acted to rid our tax system of a great many of these highly selective and unfair consumer wartime taxes.

In the committee report urging passage of the 1965 act, the auto excise tax was cited as one of many "selective" excises found to be inherently discriminatory and therefore unjustified. The report also stressed that they are unfair to consumers and particularly those with low and middle incomes:

Consumers of the taxed products where the tax is passed forward must pay a premium, over and above the market price, for the taxed items, which consumers of untaxed items do not pay. These selective excise taxes tend to reduce sales and therefore reduce incomes and jobs in the industries which produce the taxed goods. In these ways selective excise taxation results in arbitrary and undesirable distortions in the allocation of resources and in this manner interferes with the free play of our competitive market.

Many of these excises also now are objectionable in that they are generally regressive in their impact, absorbing a larger share of the income of low-income persons than of those with higher incomes. This stems from the fact that low-income families find it necessary to spend a higher proportion of their incomes for consumption than those with larger incomes.

Specifically, with regard to the auto excise tax, which President Johnson initially asked to be cut from 10- to a 5-

percent rate, the Ways and Means Committee decided that in view of the fact that all other "selective" taxes were being eliminated entirely, "It could not justify leaving the 5-percent tax on passenger cars." Regrettably, this objective was not realized. Instead, we entered simply a new round of postponements, of broken promises.

Pursuant to the 1965 act, the auto excise tax rate dropped from 10 percent to 7 percent in May of that year.

On January 1, 1966, it dropped to 6 percent.

However, early in 1966 Congress agreed to a Presidential request to restore this rate to 7 percent and to postpone any further scheduled reductions for 2 years.

Then, in the Revenue and Expenditure Control Act of 1968, the phaseout schedule was again deferred for 1 more year.

Last year, in the Tax Reform Act, it was once again set aside for still another year.

The Ways and Means Committee, in its report approving the Tax Reform Act of 1969, gave as its only reason for recommending postponement the following:

At a time when economic conditions require the continuation of the surcharge on individual and corporate income taxes at a rate of 10 to 5 percent for another year, your committee concluded that it would be inappropriate to permit scheduled excise tax reductions during this period to occur.

The tax surcharge was allowed to go off the books on June 30, 1970, and with it, it was hoped, the last justification for continuing the automobile tax.

On July 30, 1970, the Secretary of the Treasury, in transmitting the administration's tax proposals to the Congress, offered no justification for a further postponement of the auto excise tax repeal schedule other than to say that the Treasury needed the revenue. This, of course, is not a trifling reason, but what is not considered in the Secretary's request are the added tax revenues that would be generated through the increased car sales that would result by the reduction and repeal of this tax.

In this connection I would call the attention of the House to the dissenting views beginning on page 27 of the report, joined in by our distinguished colleague from Michigan (Mrs. GRIFFITHS), and myself. Here we point out that current estimates suggest that the Federal Government would stand to recoup 60 cents on each dollar of reduction on the automobile excise tax. In other words, the revenue loss predicted by the Secretary if another postponement does not take place would not be \$360 million in fiscal 1971, for example, but much closer to \$144 million. It just stands to reason that as more cars are made and sold automotive businesses and workers will pay more income taxes. A ripple effect is created throughout the whole economy. In addition, as we concern ourselves with the problems of inflation, we must remember that we in the Congress, by new Federal regulations and safety equipment requirements, have added to the cost of new cars. It stands to reason that the reduction of this tax at this time would be especially appropriate in trying to hold down new car prices.

It should be remembered that in 1965 when the auto excise tax rate was cut from 10 to 7 percent this reduction was passed on directly to the consumer and I have every reason to believe that this would be done so again.

The Ways and Means Committee, in recognition of the basic unfairness of this tax and of its previous decision that it should be ultimately eliminated, proposed in H.R. 19868, a new phaseout schedule by which it hopes to facilitate the repeal of this tax through the device of stretching out the reductions over a longer period of time.

While I reject emphatically the premise upon which this is based, being pragmatic, perhaps, this longer withdrawal period will be more painless, and will ultimately succeed in curing the Treasury's addiction to this tax. However, history does not provide any basis for optimism, as according to the Excise Tax Reduction Act of 1965, if we had kept our word, the auto excise tax would have been reduced to 1 percent in 1969.

As you will note on page 18 of the report, the present bill will push total repeal all the way ahead to 1981, more than 10 years from now, and as I say, past experience causes me to speculate whether or not this, too, will become only a "temporary" target date. You will also note from the table on page 18 that when the excise tax is reduced to 5 percent in 1974, it is proposed to have it hold at that level through 1975, 1976, and 1977. Again, while I do not accept the logic of this action, it is my understanding that this has been done in order that both the telephone excise tax and the auto excise tax will be phased out simultaneously.

I am deeply concerned about this extended delay and my concern is recorded in the dissenting views of the committee report. While I am aware of the budgetary considerations which prompted the committee to propose the stretchout of the reductions in the automobile tax, I want to emphasize again that this tax is discriminatory, that the Congress has recognized this by its actions in 1965, and that it should be repealed, as, indeed, the committee has conceded. The tax unjustly singles out one group of consumers, that is new car purchasers, and one particular industry, to bear more than their fair share of the tax burden.

Mr. Chairman, I regret our chairman of the committee is not on the floor. I had hoped I could have a colloquy with him. But in his absence I would like to direct a question to the ranking minority member, the gentleman from Wisconsin (Mr. BYRNES).

I would like to say for the purposes of providing some legislative history here I would like to ask my distinguished colleague from Wisconsin if it was not his understanding that the intent of the committee in stretching out the reduction of this tax to 1972 was to insure its eventual repeal without any significant budgetary effect in any one year?

Mr. BYRNES of Wisconsin. Will the gentleman yield?

Mr. CHAMBERLAIN. Yes. I yield to the gentleman.

Mr. BYRNES of Wisconsin. Well, the purpose of the more gradual phaseout included in this bill is to avoid the large fiscal impact that is contemplated under the existing law. Therefore the need for revenue will be a much less argument for continuing these taxes at their present rates in the future. It is to make these reductions more moderate and therefore more acceptable on a year-by-year basis that the new schedule is included.

Mr. CHAMBERLAIN. I thank the gentleman.

Would he not agree with me it was the intent of the committee as you read it that this tax should ultimately be repealed in accordance with this? Is that correct?

My BYRNES of Wisconsin. If that was not our intention, I do not think we would have established this schedule for reducing and terminating the taxes.

Mr. Chairman. I thank the gentleman for his comments.

Mr. Chairman, I feel the continued postponement of scheduled reductions in the automobile excise tax are unwise and discriminatory as well as a breach of faith by the Congress. I shall remain dedicated to the complete repeal of this tax and welcome the assurances of the chairman that the committee fully intends to adhere to the schedule now proposed.

Turning to another aspect of this legislation, I would like to say that I am gratified that the committee has accepted the suggestion to require new car labels to show the applicable rate of the manufacturers' Federal excise tax as set forth in section 304, on page 26 of the bill. I am satisfied that one of the major reasons that this discriminatory tax has not been repealed at an earlier date is because as a practical matter, it has been hidden from the new car purchaser. At a time when much concern has been expressed about truth in advertising, truth in lending and truth in packaging. I say we also need a bit more truth in taxation when it comes to letting the public know of the existence and the rate of the automobile excise tax. Frankly, I feel that the exact amount of Federal taxes paid on every new car should be fully known to every purchaser. But, as this tax is levied on the manufacturers' cost, this has not been done. It is my hope that the technical difficulties involved may some way be overcome in order that the new car label may state the specific amount of this tax in dollars and cents rather than just a percentage figure. I sincerely believe that the committee amendment contained in this bill is a step in the right direction.

In closing, I would like to say again that the fundamental question with respect to the automobile excise tax is whether or not the Federal Government is going to live up to its word. Our credibility has been seriously eroded by our repeated extensions of this tax. Past ex-

perience tells us that repealing it tomorrow is no answer, for tomorrow never comes.

No one questions the need for tax revenues. However, there will never be a time when the Government is not going to need money. An auto excise tax is always going to be an expedient way to raise revenue, but, by itself, it is never going to be a fair way. If we need money, and it is clear that we do, we should raise it in a fair way. If we are going to keep a manufacturers' excise tax, it should be on all manufactured goods, not just one particular manufactured product.

As the Nation's spending priorities are being shifted, I say now is the time to rid our tax system of this long-standing inequity and to look for fairer revenue sources on which to build soundly for the future. For these reasons, as well as others, I am compelled to oppose this legislation.

Mr. WATTS. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Michigan (Mrs. GRIFFITHS).

Mrs. GRIFFITHS. Mr. Chairman, I would like to join at this time in the remarks which were made by the gentleman from Michigan (Mr. CHAMBERLAIN) and to protest also another continuation of the auto excise tax. But, I would like to point out that in the year when we were successful in removing a small amount of the auto excise tax, a part of the group which opposed this reduction in any larger amount were the dealers.

Mr. Chairman, the dealers have a built-in interest in maintaining the present price structure and, therefore, they opposed the total reduction of the auto excise tax.

My opinion is that this group does not really own this part of America, that in fact the auto excise tax is a very unfair tax not really tied to the principle of the automobile being a luxury.

Mr. Chairman, automobiles are a necessity. We are taxing most heavily the people who can really least afford to pay. It is not alone the Treasury of the United States that is anxious to have the auto excise tax continued. I repeat, it is also the fight to maintain the present price structure on automobiles and the dealers themselves who have objected to a substantial reduction at one time. I think that the excise tax should be removed.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I was somewhat surprised at the comments of the distinguished gentleman from Michigan (Mrs. GRIFFITHS) to the effect that the auto dealers want this tax continued. Frankly, that comes as a great surprise to me because I have been importuned by the dealers in Wisconsin, who do not have that attitude because they would like to be able to reduce the price of automobiles and thus improve the potential for sales. I have not heard this argument before. It is not in keeping with the recent views which I have received from the automobile dealers in my district.

Mr. DENNIS. Mr. Chairman, this bill has the virtue of retaining excise revenues which, however distasteful, are presently needed, and it also furnishes a temporary financial shot in the arm to the Government where estate taxes are concerned; but it is in connection with the estate tax feature of the bill that I wish to make a brief comment.

Estate taxes at the Federal level have never formed a very large percentage of the total Federal budget and the Federal estate tax has been less an important revenue raising device than a social measure, designed to discourage the accumulation of private fortunes, and to encourage the redistribution of wealth.

Today, we hear a great deal about revenue sharing, due to the fact that the Federal Government has preempted so many of the available sources of revenue; but it has always seemed to me that one of the best ways to share revenue would be in the Federal Government not to take the revenue in the first place, and it seems to me, further, that one useful place to start this process would be in the field of estate and inheritance taxes, a field from which the Federal Government could retire with comparatively little financial embarrassment and so release this source of tax revenue to the jurisdiction of the several States.

The time may not be ripe for such a move at this particular moment, but I think it is a possible step which is worthy of serious consideration of the Committee on Ways and Means; and it seems to me an objection to the present bill that, rather than advancing in this direction, it not only retains the Federal estate tax, but, by speeding up its collection for immediate revenue purposes, tends to treat it as a permanent and revenue producing part of the Federal tax structure.

The present measure does not represent a fundamental change in present law; but it does not seem to me to do anything either for the revenue sharing concept or for philosophical tax reform.

Mr. BROYHILL of Virginia. Mr. Chairman, I support H.R. 19868, but I did not arrive at this position easily or quickly. I viewed this legislation with considerable misgivings, initially, and decided to vote for it only after satisfying myself that it would not impose an undue hardship upon the taxpayers it would affect.

There never was any doubt that the Federal Government really needs the money the bill would yield—about \$730 million this fiscal year and about \$3.4 billion next fiscal year. A mere glance at the estimated budget deficits for both years is convincing enough.

The bill before the House today represents a modified version of the package proposal originally presented by the administration to the Committee on Ways and Means. I believe that the modifications made in committee will do much to soften the impact on taxpayers yet leave intact the essential purpose of the legislation, which is to raise sorely needed revenue.

One vital element of the bill calls for speeding-up the payment of estate taxes, from 15 to 9 months after death. The administration had first proposed an acceleration to 7 months, but later accepted the present language.

My own acceptance of this portion of the measure was based largely on these points:

First. There are two provisions designed to prevent hardships. First, property acquired from a decedent would be considered to have been held for more than 6 months, thus paving the way for capital gains treatment of the sales of such property. Second, the Commissioner of Internal Revenue could extend the time for payment, in hardship cases, up to 12 months, instead of 6 months as under present law. The net effect would allow the same possible extension of time—21 months—which is now available.

It is important to note that the committee was assured that these extensions of time will be granted liberally where reasonable cause exists.

Second. A number of additional changes should decrease the time necessary for processing of estate taxes and thus permit a more rapid distribution to the beneficiaries. For example, in order to speed the audit of returns, the committee has provided for streamlining of filing procedures, and has been assured that the Internal Revenue Service will take steps promptly to expedite other aspects of administration.

Another portion of H.R. 19868 provides for placing payment of gift taxes on a quarterly instead of a yearly basis. The central question here really is: Who should have use of the funds which eventually would be required for payment of the tax?

In this regard, the committee noted that most Federal taxes—and most notably the income tax—are paid on a current basis, and that under present law those making gifts early in a year have a substantially greater tax deferral than those making gifts late in the year.

With these points in mind, the committee concluded it would be more equitable for the gift tax to be paid more promptly to the Government, and for the Government to have the use of the money involved for interest purposes.

In making my own decision, I also kept in mind that the bill would not change existing law as far as total liability for the gift tax is concerned nor would it substantially alter the annual \$3,000 perdonee exclusion or the \$30,000 lifetime exemption.

As for the third major element of H.R. 19868, the 2-year continuation of excise taxes on automobiles and communications services, I based my reluctant acceptance on one leading factor.

Under the schedule provided in the bill for phasing out these taxes after 1972, the future rate reductions would be spread over a 10-year period, which should prevent any truly significant revenue loss in any 1 year. And this offers a genuinely realistic hope that these taxes will eventually, but finally, come to an end. It would be very difficult for an administration to make a good case

for needing the revenue from 1-year extension of either tax.

The bill also provides for other, technical excise tax changes which would, generally, work to the advantage of affected taxpayers.

In summary then, Mr. Chairman, I support H.R. 19868 because the need for it is clear, and because it includes what I believe to be adequate safeguards against abuse of the taxpayer.

Mr. HOGAN. Mr. Chairman, I consider it extremely regrettable that at this time, it is necessary for the House to consider another tax measure to increase revenues. I find this bill particularly distasteful because among other things, it provides for the full extension of two regressive and objectionable taxes; namely, the Federal excise tax on communications and on automobiles.

The nature and history of these two taxes are similar. But at this time I would like to call to the Members' attention a few facts regarding the communications excise tax in particular. First, I would like to point out that 1971 will be the 30th anniversary of the excise tax on telephone service. For 30 years, consumers have been subjected to what I consider to be the most regressive and inequitable tax on the books.

The present excise tax on local and toll telephone service and teletype service is 10 percent of the amount paid for the services. The present law provides for a rate reduction in the tax on these services to 5 percent for the calendar year 1971, to 3 percent for 1972, and 1 percent for 1973, and schedules this tax for repeal as of January 1, 1974.

The committee is now telling us that once again the need for revenues will not permit the scheduled reduction and repeal to take place. The bill before us provides for a 1-percent, per year reduction on the telephone tax beginning in 1973, with plans to repeal the tax in 1982.

I can fully appreciate the need for the more gradual reduction of these taxes and agree that this schedule will more likely lead to their elimination sooner than if the present schedule of rates were merely to be postponed. However, I disagree with the committee's view that this tax should remain at 10 percent until 1973 and feel that as a matter of good faith the Congress should authorize the new schedule of reductions immediately. It is my understanding that a 1-percent reduction in 1971 would result in an approximate loss of \$40 million in revenues, and an additional 1-percent reduction in 1972 would cost approximately \$65 million in revenues for that year. We are talking about modest sums of money in connection with the national budget. At the same time when the American citizen is being taxed to the hilt, a 10-percent telephone tax provides an additional burden on a small budget. A 1-percent reduction will not mean great sums to the individual taxpayer in 1971, but will partially restore to him the belief that our Government is interested in serving the people and not just taking every penny it can.

The need for this legislation has been

well stated. It has come to the floor of the House under a closed rule, thereby precluding amendment by the Members. After deliberate consideration, reluctantly, I will vote for the bill.

Mr. BYRNES of Wisconsin. Mr. Chairman, I have no further requests for time.

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

The CHAIRMAN. Under the rule, the bill is considered as having been read for amendment.

The bill is as follows:

H.R. 19868

A bill to amend the Internal Revenue Code of 1954 to accelerate the collection of estate and gift taxes, to continue excise taxes on passenger automobiles and communications services, and for other purposes

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

SECTION 1. SHORT TITLE, ETC.

(a) SHORT TITLE.—This Act may be cited as the "Excise, Estate, and Gift Tax Adjustment Act of 1970".

(b) Wherever in this Act an amendment is expressed in terms of an amendment to a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1954.

TITLE I—ESTATE AND GIFT TAXES

SEC. 101. ESTATE TAX

(a) ALTERNATE VALUATION.—Section 2032 (relating to alternate valuation) is amended—

(1) by striking out "1 year" each place it appears and inserting in lieu thereof "6 months", and

(2) by striking out "1-year" and inserting in lieu thereof "6-month".

(b) TIME FOR FILING ESTATE TAX RETURNS.—Section 6075(a) (relating to time for filing estate tax returns) is amended by striking out "15 months" and inserting in lieu thereof "9 months".

(c) CERTAIN BEQUESTS SUBJECT TO POWER OF APPOINTMENT.—Section 2055(b) (2) (C) is amended by striking out "one year" and inserting in lieu thereof "6 months".

(d) DISCHARGE OF FIDUCIARY FROM PERSONAL LIABILITY FOR ESTATE TAX.—

(1) Section 2204 (relating to discharge of executor from personal liability) is amended—

(A) by striking out "EXECUTOR" in the heading of such section and inserting in lieu thereof "FIDUCIARY";

(B) by striking out "If the executor" and inserting in lieu thereof "(a) GENERAL RULE.—If the executor";

(C) by amending the last sentence thereof to read as follows: "The executor, on payment of the amount of which he is notified (other than any amount the time for payment of which is extended under section 6161, 6163, or 6166), and on furnishing any bond which may be required for any amount for which the time for payment is extended, shall be discharged from personal liability for any deficiency in tax thereafter found to be due and shall be entitled to a receipt or writing showing such discharge."; and

(D) by adding at the end thereof the following new subsection:

"(b) FIDUCIARY OTHER THAN THE EXECUTOR.—If a fiduciary (not including a fiduciary in respect of the estate of a non-resident decedent) other than the executor makes written application to the Secretary or his delegate for determination of the amount of any estate tax for which the fiduciary may be personally liable, and for discharge from personal liability therefor, the Secretary or his delegate upon the discharge of the executor from personal liability under subsection (a), or upon the ex-

piration of 6 months after the making of such application by the fiduciary, if later, shall notify the fiduciary (1) of the amount of such tax for which it has been determined the fiduciary is liable, or (2) that it has been determined that the fiduciary is not liable for any such tax. Such application shall be accompanied by a copy of the instrument, if any, under which such fiduciary is acting, a description of the property held by the fiduciary, and such other information for purposes of carrying out the provisions of this section as the Secretary or his delegate may require by regulations. On payment of the amount of such tax for which it has been determined the fiduciary is liable (other than any amount the time for payment of which has not been extended under section 6161, 6163, or 6166), and on furnishing any bond which may be required for any amount for which the time for payment has been extended, or on receipt by him of notification of a determination that he is not liable for any such tax, the fiduciary shall be discharged from personal liability for any deficiency in such tax thereafter found to be due and shall be entitled to a receipt or writing evidencing such discharge."

(2) Sections 6040(2), 6314(c) (2), 6324(a) (3), and 6504(9) are each amended by striking out "executor" each place it appears in the heading and text of such sections and inserting in lieu thereof "fiduciary".

(3) The table of sections for subchapter C of chapter 11 is amended by striking out "Sec. 2204. Discharge of executor from personal liability."

and inserting in lieu thereof:

"Sec. 2204. Discharge of fiduciary from personal liability."

(e) DISCHARGE OF EXECUTOR FROM PERSONAL LIABILITY FOR DECEDENT'S INCOME AND GIFT TAXES.—

(1) Chapter 71 (relating to transferees and fiduciaries) is amended by adding at the end thereof the following new section:

"Sec. 6905. Discharge of executor from personal liability for decedent's income and gift taxes.

"(a) DISCHARGE OF LIABILITY.—In the case of liability of a decedent for taxes imposed by subtitle A or by chapter 12, if the executor makes written application (filed after the return with respect to such taxes is made and filed in such manner and such form as may be prescribed by regulation of the Secretary or his delegate) for release from personal liability for such taxes, the Secretary or his delegate may notify the executor of the amount of such taxes. The executor, upon payment of the amount of which he is notified, or 1 year after receipt of the application if no notification is made by the Secretary or his delegate before such date, shall be discharged from personal liability for any deficiency in such tax thereafter found to be due and shall be entitled to a receipt or writing showing such discharge.

"(b) DEFINITION OF EXECUTOR.—For purposes of this section, the term 'executor' means the executor or administrator of the decedent appointed, qualified, and acting within the United States.

"(c) CROSS REFERENCE.—

"For discharge of executor from personal liability for taxes imposed under chapter 11, see section 2204."

(2) The table of sections for chapter 71 is amended by adding at the end thereof the following:

"Sec. 6905. Discharge of executor from personal liability for decedent's income and gift taxes."

(f) REDUCTION OF PERIOD FOR DISCHARGE OF EXECUTOR FROM PERSONAL LIABILITY.—Effective with respect to the estates of decedents dying after December 31, 1973, sections 2204 and 6905 are each amended by striking out "1 year" and inserting in lieu thereof "9 months".

(g) HOLDING PERIOD OF PROPERTY.—Section 1223 (relating to holding period of property) is amended by redesignating paragraph (11) as paragraph (12) and by inserting after paragraph (10) the following new paragraph:

"(11) In the case of a person acquiring property from a decedent or to whom property passed from a decedent (within the meaning of section 1014(b)), if—

"(A) the basis of such property in the hands of such person is determined under section 1014, and

"(B) such property is sold or otherwise disposed of by such persons within 6 months after the decedent's death.

then such person shall be considered to have held such property for more than 6 months."

(h) EXTENSION OF TIME.—The first sentence of paragraph (1) of subsection (a) of section 6161 (relating to extension of time for paying tax) is amended by striking out "6 months" and inserting in lieu thereof "6 months (12 months in the case of estate tax)".

(i) PLACE OF FILING RETURNS.—

(1) Paragraph (3) of section 6091(b) (relating to place for filing returns or other documents) is amended to read as follows:

"(3) ESTATE TAX RETURNS.—

"(A) GENERAL RULE.—Except as provided in subparagraph (B), returns of estate tax required under section 6018 shall be made to the Secretary or his delegate—

"(i) in the internal revenue district in which was the domicile of the decedent at the time of his death, or

"(ii) at a service center serving the internal revenue district referred to in clause (i), as the Secretary or his delegate may by regulations designate.

"(B) EXCEPTION.—If the domicile of the decedent was not in an internal revenue district, or if he had no domicile, the estate tax return required under section 6018 shall be made at such place as the Secretary or his delegate may by regulations designate."

(2) Paragraph (4) of section 6091(b) is amended to read as follows:

"(4) HAND-CARRIED RETURNS.—Notwithstanding paragraph (1), (2), or (3), a return to which paragraph (1) (A), (2) (A), or (3) (A) would apply, but for this paragraph, which is made to the Secretary or his delegate by hand-carrying shall, under regulations prescribed by the Secretary or his delegate, be made in the internal revenue district referred to in paragraph (1) (A) (i), (2) (A) (i), or (3) (A) (i), as the case may be."

(j) EFFECTIVE DATE.—The amendments made by this section (other than subsection (f)) shall apply with respect to decedents dying after December 31, 1970.

SEC. 102. GIFT TAX.

(a) AMENDMENTS TO SUBCHAPTER A OF CHAPTER 12.—

(1) SECTION 2501.—

(A) Paragraph (1) of subsection (a) of section 2501 is amended to read as follows:

"(1) GENERAL RULE.—For the first calendar quarter of calendar year 1971 and each calendar quarter thereafter a tax, computed as provided in section 2502, is hereby imposed on the transfer of property by gift during such calendar quarter by any individual, resident or nonresident."

(B) Paragraph (4) of such subsection is amended by striking out "calendar year" and inserting in lieu thereof "calendar quarter".

(2) SECTION 2502.—

(A) So much of subsection (a) of section 2502 as precedes the rate schedule is amended to read as follows:

"(a) COMPUTATION OF TAX.—The tax imposed by section 2501 for each calendar quarter shall be an amount equal to the excess of—

"(1) a tax, computed in accordance with the rate schedule set forth in this subsection, on the aggregate sum of the taxable gifts for

such calendar quarter and for each of the preceding calendar years and calendar quarters, over

"(2) tax, computed in accordance with such rate schedule, on the aggregate sum of the taxable gifts for each of the preceding calendar years and calendar quarters."

(B) Subsections (b) and (c) of section 2502 are amended to read as follows:

"(b) CALENDAR QUARTER.—Wherever used in this title in connection with the gift tax imposed by this chapter, the term 'calendar quarter' includes only the first calendar quarter of the calendar year 1971 and succeeding calendar quarters.

"(c) PRECEDING CALENDAR YEARS AND QUARTERS.—Wherever used in this title in connection with the gift tax imposed by this chapter—

"(1) The term 'preceding calendar years' means calendar years 1932 and 1970 and all calendar years intervening between calendar year 1932 and calendar year 1970. The term 'calendar year 1932' includes only the portion of such year after June 6, 1932.

"(2) The term 'preceding calendar quarters' means the first calendar quarter of calendar year 1971 and all calendar quarters intervening between such calendar quarter and the calendar quarter for which the tax is being computed."

(3) SECTION 2503.—

(A) Subsection (a) of section 2503 is amended to read as follows:

"(a) GENERAL DEFINITION.—The term 'taxable gifts' means, in the case of gifts made after December 31, 1970, the total amount of gifts made during the calendar quarter, less the deductions provided in subchapter C (sec. 2521 and following). In the case of gifts made before January 1, 1971, such term means the total amount of gifts made during the calendar year, less the deductions provided in subchapter C."

(B) The heading and first sentence of subsection (b) of section 2503 are amended to read as follows:

"(b) EXCLUSIONS FROM GIFT.—In computing taxable gifts for the calendar quarter, in the case of gifts (other than gifts of future interests in property) made to any person by the donor during the calendar year 1971 and subsequent calendar years, \$3,000 of such gifts to such person less the aggregate of the amounts of such gifts to such person during all preceding calendar quarters of the calendar year shall not, for purposes of subsection (a), be included in the total amount of gifts made during such quarter."

(4) SECTION 2504.—

(A) Section 2504 is amended to read as follows:

"SEC. 2504. TAXABLE GIFTS FOR PRECEDING YEARS AND QUARTERS.

"(a) IN GENERAL.—In computing taxable gifts for preceding calendar years or calendar quarters for the purpose of computing the tax for any calendar quarter, there shall be treated as gifts such transfers as were considered to be gifts under the gift laws applicable to the years or calendar quarters in which the transfers were made and there shall be allowed such deductions as were provided for under such laws; except that the specific exemption in the amount, if any, allowable under section 2521 shall be applied in all computations in respect of previous calendar years or calendar quarters for the purpose of computing the tax for any calendar year or calendar quarter.

"(b) EXCLUSIONS FROM GIFTS FOR PRECEDING YEARS AND QUARTERS.—In the case of gifts made to any person by the donor during preceding calendar years and quarters, the amount excluded, if any, by the provisions of gift tax laws applicable to the years and calendar quarters in which the gifts were made shall not, for purposes of subsection (a), be included in the total amount of the

gifts made during such years and calendar quarters.

"(c) VALUATION OF CERTAIN GIFTS FOR PRECEDING CALENDAR YEARS AND QUARTERS.—If the time has expired within which a tax may be assessed under this chapter or under corresponding provisions of prior laws on the transfer of property by gift made during a preceding calendar year or calendar quarter, as defined in section 2502(c), and if a tax under this chapter or under corresponding provisions of prior laws has been assessed or paid for such preceding calendar year or calendar quarter, the value of such gift made in such preceding calendar year or calendar quarter shall, for purposes of computing the tax under this chapter for any calendar quarter, be the value of such gift which was used in computing the tax for the last preceding calendar year or calendar quarter for which a tax under this chapter or under corresponding provisions of prior laws was assessed or paid.

"(d) NET GIFTS.—The term 'net gifts' as used in corresponding provisions of prior laws shall be read as 'taxable gifts' for purposes of this chapter."

(B) The table of sections for subchapter A of chapter 12 is amended by striking out the item relating to section 2504 and inserting in lieu thereof the following:

"Sec. 2504. Taxable gifts for preceding years and quarters."

(b) AMENDMENTS TO SUBCHAPTER B OF CHAPTER 12.—

(1) SECTION 2512.—Subsection (b) of section 2512 is amended by striking out "calendar year" and inserting in lieu thereof "calendar quarter".

(2) SECTION 2513.—

(A) Section 2513 is amended by striking out "calendar year" each place it appears and inserting in lieu thereof "calendar quarter".

(B) Subparagraph (A) of subsection (b) (2) of section 2513 is amended to read as follows:

"(A) The consent may not be signified after the 15th day of the second month following the close of such calendar quarter, unless before such 15th day no return has been filed for such calendar quarter by either spouse, in which case the consent may not be signified after a return for such calendar quarter is filed by either spouse;"

(C) Subparagraph (B) of subsection (b) (2) of section 2513 is amended by striking out "such year" and inserting in lieu thereof "such calendar quarter".

(D) Subsection (c) of section 2513 is amended by striking out "15th day of April following the close of such year" and inserting in lieu thereof "15th day of the second month following the close of such calendar quarter".

(E) Subsection (d) of section 2513 is amended by striking out "such year" and inserting in lieu thereof "such calendar quarter".

(3) SECTION 2515.—Subsection (c) of section 2515 is amended by striking out "calendar year" and inserting in lieu thereof "calendar quarter".

(c) AMENDMENTS TO SUBCHAPTER C OF CHAPTER 12.—

(1) SECTION 2521.—Section 2521 is amended to read as follows:

"SEC. 2521. SPECIFIC EXEMPTION

"In computing taxable gifts for a calendar quarter, there shall be allowed as a deduction in the case of a citizen or resident an exemption of \$30,000, less the aggregate of the amounts claimed and allowed as a specific exemption in the computation of gift taxes for the calendar year 1932 and all calendar years and calendar quarters intervening between that calendar year and the calendar quarter for which the tax is being computed under the laws applicable to such years or calendar quarters."

(2) SECTION 2522.—Section 2522 is amended by striking out "year" each place it appears and inserting in lieu thereof "quarter".

(3) SECTION 2523.—Subsection (a) of section 2523 is amended by striking out "year" each place it appears and inserting in lieu thereof "quarter".

(d) MISCELLANEOUS AMENDMENTS.—

(1) Paragraph (2) of subsection (d) of section 1015 (relating to increased basis for gift tax paid) is amended—

(A) by striking out "calendar year" the first place it appears therein and inserting in lieu thereof "calendar quarter (or calendar year if the gift was made before January 1, 1971)", and

(B) by striking out "calendar year" every other place it appears therein and inserting in lieu thereof "calendar quarter or year".

(2) SECTION 2012.—

(A) Paragraph (1) of subsection (b) of section 2012 (relating to credit for gift tax) and paragraph (1) of subsection (d) of such section are each amended by striking out "the year" and inserting in lieu thereof "the calendar quarter (or calendar year if the gift was made before January 1, 1971)".

(B) Subsection (d) of section 2012 is amended by striking out "such year" each place it appears therein and inserting in lieu thereof "such quarter or year".

(3) Section 6019 (relating to gift tax returns) is amended to read as follows:

"SEC. 6019. GIFT TAX RETURNS

"(a) IN GENERAL.—Any individual who in any calendar quarter makes any transfers by gift (other than transfers which under section 2503(b) are not to be included in the total amount of gifts for such quarter and other than qualified charitable transfers) shall make a return for such quarter with respect to the gift tax imposed by subtitle B.

"(b) QUALIFIED CHARITABLE TRANSFERS.—

"(1) RETURN REQUIREMENT.—A return shall be made of any qualified charitable transfer—

"(A) for the first calendar quarter, in the calendar year in which the transfer is made, for which a return is required to be filed under subsection (a), or

"(B) if no return is required to be filed under subparagraph (A), for the fourth calendar quarter in the calendar year in which such transfer is made.

A return made pursuant to the provisions of this paragraph shall be deemed to be a return with respect to any transfer reported as a qualified charitable transfer for the calendar quarter in which such transfer was made.

"(2) DEFINITION OF QUALIFIED CHARITABLE TRANSFER.—For purposes of this section, the term 'qualified charitable transfer' means a transfer by gift with respect to which a deduction is allowable under section 2522 in an amount equal to the amount transferred.

"(c) TENANCY BY THE ENTIRETY.—

"For provisions relating to requirement of return in the case of election as to the treatment of gift by creation of tenancy by the entirety, see section 2515(c)."

(4) Subsection (b) of section 6075 (relating to time for filing gift tax returns) is amended to read as follows:

"(b) GIFT TAX RETURNS.—Returns made under section 6019 (relating to gift taxes) shall be filed on or before the 15th day of the second month following the close of the calendar quarter."

(5) Paragraph (1) of subsection (c) of section 6212 (relating to notice of deficiency) is amended by striking out "calendar year" and inserting in lieu thereof "calendar quarter".

(6) Subsection (b) of section 6214 (relating to determination by Tax Court) is amended to read as follows:

"(b) JURISDICTION OVER OTHER YEARS AND QUARTERS.—The Tax Court in redetermining a deficiency of income tax for any taxable

year or of gift tax for any calendar year or calendar quarter shall consider such facts with relation to the taxes for other years or calendar quarters as may be necessary correctly to redetermine the amount of such deficiency, but in so doing shall have no jurisdiction to determine whether or not the tax for any other year or calendar quarter has been overpaid or underpaid."

(7) Subsection (b) of section 6324 (relating to lien for gift tax) is amended by striking out "calendar year" and inserting in lieu thereof "period for which the return was filed".

(8) Paragraph (2) of section 6501(e) (relating to limitations on assessment and collection) is amended by striking out "during the year" and inserting in lieu thereof "during the period for which the return was filed".

(9) Section 6512 (relating to limitations in case of petition to Tax Court) is amended by striking out "the same calendar year" each place it appears therein and inserting in lieu thereof "the same calendar year or calendar quarter".

(e) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to gifts made after December 31, 1970.

TITLE II—CONTINUATION OF EXCISE TAXES ON PASSENGER AUTOMOBILES AND COMMUNICATIONS SERVICES

SEC. 201. RATES OF TAX

(a) PASSENGER AUTOMOBILES.—

(1) IN GENERAL.—Section 4061(a)(2)(A) (relating to tax on passenger automobiles, etc.) is amended to read as follows:

"(A) Articles enumerated in subparagraph (B) are taxable at whichever of the following rates is applicable:

"If the article is sold—	The tax rate is—
Before January 1, 1973.....	7 percent.
During 1973.....	6 percent.
During 1974, 1975, 1976, or 1977.....	5 percent.
During 1978.....	4 percent.
During 1979.....	3 percent.
During 1980.....	2 percent.
During 1981.....	1 percent.

The tax imposed by this subsection shall not apply with respect to articles enumerated in subparagraph (B) which are sold by the manufacturer, producer, or importer, after December 31, 1981."

(2) CONFORMING AMENDMENT.—Section 6412(a)(1) (relating to the floor stocks refunds on passenger automobiles, etc.) is amended by striking out "January 1, 1971, January 1, 1972, January 1, 1973, or January 1, 1974", and inserting in lieu thereof "January 1 of 1973, 1974, 1978, 1979, 1980, 1981, or 1982".

(b) COMMUNICATIONS SERVICES.—

(1) CONTINUATION OF TAX.—Section 4251(a)(2) (relating to certain communications services) is amended by striking out the table and inserting in lieu thereof the following table:

"Amounts paid pursuant to bills first rendered—	Percent—
Before January 1, 1973.....	10
During 1973.....	9
During 1974.....	8
During 1975.....	7
During 1976.....	6
During 1977.....	5
During 1978.....	4
During 1979.....	3
During 1980.....	2
During 1981.....	1".

(2) CONFORMING AMENDMENT.—Section 4251(b) (relating to termination of tax) is amended by striking out "January 1, 1974", and inserting in lieu thereof "January 1, 1982".

(3) REPEAL OF SUBCHAPTER B OF CHAPTER 33.—Section 105(b)(3) of the Revenue and Expenditure Control Act of 1968 (82 Stat. 266) is amended to read as follows:

"(3) REPEAL OF SUBCHAPTER B OF CHAPTER 33.—Effective with respect to amounts paid pursuant to bills first rendered on or after January 1, 1982, subchapter B of chapter 33 (relating to the tax on communications) is repealed. For purposes of the preceding sentence, in the case of communications services rendered before November 1, 1981, for which a bill has not been rendered before January 1, 1982, a bill shall be treated as having been first rendered on December 31, 1981. Effective January 1, 1982, the table of subchapters for chapter 33 is amended by striking out the item relating to such subchapter B."

TITLE III—TECHNICAL EXCISE TAX CHANGES

SEC. 301. CONSTRUCTIVE SALE PRICE

(a) DETERMINATION OF CONSTRUCTIVE SALE PRICE.—Section 4216(b) (relating to constructive sale price) is amended by adding at the end thereof the following new paragraphs:

"(5) CONSTRUCTIVE SALE PRICE IN THE CASE OF AUTOMOBILES, TRUCKS, ETC.—In the case of articles the sale of which is taxable under section 4061(a) (relating to automobiles, trucks, etc.), for purposes of paragraph (1), if—

"(A) the manufacturer, producer, or importer of the article regularly sells such article to a distributor which is a member of the same affiliated group of corporations (as defined in section 1504(a)) as the manufacturer, producer, or importer, and

"(B) such distributor regularly sells such article to one or more independent retailers, the constructive sale price of such article shall be 97 percent of the lowest price for which such distributor regularly sells such article in arm's-length transactions to such independent retailers. The price determined under this paragraph shall not be adjusted for any exclusion (except for the tax imposed on such article) or readjustments under subsections (a) and (f) and under section 6416(b)(1).

"(6) DEFINITION OF LOWEST PRICE.—For purposes of paragraphs (1), (3), and (5), the lowest price shall be determined—

"(A) without requiring that any given percentage of sales be made at that price,

"(B) without including any fixed amount to which the purchaser has a right as a result of contractual arrangements existing at the time of the sale, and

"(C) in the case of transportation charges, by taking into account with respect to any price only the actual transportation charge (if any) made in connection with such price."

(b) CONFORMING AMENDMENTS.—

(1) The first sentence of paragraph (3) of section 4216(b) is amended by striking out "paragraph (4)" and inserting in lieu thereof "paragraphs (4) and (5)".

(2) Paragraphs (3) and (4) of section 4216(b) are amended—

(A) by striking out "Fair market price" in the heading and inserting in lieu thereof "Constructive sale price";

(B) by striking out "fair market price" each place it appears in the text and inserting in lieu thereof "constructive sale price"; and

(C) by striking out "paragraph (1)(C)" and inserting in lieu thereof "paragraph (1)".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to articles sold after December 31, 1970; except that section 4216(b)(6) of the Internal Revenue Code of 1954 (as added by subsection (a)) shall also apply to (1) the application of paragraph (1) of such section 4216(b) to articles sold after June 30, 1962, and before January 1, 1971, and (2) the application of paragraph (3) of such section 4216(b) to articles sold after

December 31, 1969, and before January 1, 1971.

SEC. 302. CREDITS IN THE CASE OF CERTAIN FURTHER MANUFACTURING

(a) IN GENERAL.—

(1) Section 6416(b)(3) (relating to tax-paid articles used for further manufacture) is amended—

(A) by striking out "to a second manufacturer or producer, such tax shall be deemed to be an overpayment by such second manufacturer or producer if" and inserting in lieu thereof "and such article is sold to a subsequent manufacturer producer before being used, such tax shall be deemed to be an overpayment by such subsequent manufacturer or producer if"; and

(B) by striking out "the second manufacturer" each place it appears in subparagraphs (A), (B), (C), (E), and (F) and inserting in lieu thereof "the subsequent manufacturer".

(2) Section 6416(c) (relating to credit for tax paid on tires or inner tubes) is amended by striking out the last sentence thereof.

(b) CONFORMING AMENDMENT.—Section 6416(b)(2) (relating to specified uses and resales) is amended by striking out subparagraph (E).

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) of this section shall apply only with respect to claims for credit or refund filed after the date of the enactment of this Act, but only if the filing of the claim is not barred on the day after the date of the enactment of this Act by any law or rule of law.

SEC. 303. CERTAIN CAMPER UNITS

(a) GENERAL RULE.—Section 4063(a)(1)

(B) (relating to exemptions for camper coaches, etc.) is amended by inserting "or camping accommodations" after "living quarters".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) of this section shall apply with respect to sales made on or after the date of the enactment of this Act.

SEC. 304. NEW CAR LABELS TO SHOW RATE OF APPLICABLE FEDERAL MANUFACTURERS EXCISE TAX

(a) GENERAL RULE.—In the case of any new automobile distributed in commerce after March 31, 1971, on the sale of which by the manufacturer, producer, or importer tax was imposed by section 4061(a) of the Internal Revenue Code of 1954, any person required by section 3 of the Automobile Information Disclosure Act (15 U.S.C., sec. 1232) to affix a label to such new automobile shall include in such label a clear, distinct, and legible endorsement stating—

(1) that Federal excise tax was imposed on such sale, and

(2) the percentage rate at which such tax was imposed.

(b) PENALTY.—Any person required by subsection (a) of this section to endorse any label who willfully fails to endorse clearly, distinctly, and legibly such label as required by subsection (a), or who makes a false endorsement of such label, shall be fined not more than \$1,000. Such failure or false endorsement with respect to each automobile shall constitute a separate offense.

The CHAIRMAN. No amendments are in order to the bill except amendments offered by members of the Committee on Ways and Means. Are there any committee amendments?

Mr. MILLS. Mr. Chairman, there are no committee amendments.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. HAMILTON, Chairman of the Committee of the Whole House on the State

of the Union, reported that that Committee, having had under consideration the bill (H.R. 19868) to amend the Internal Revenue Code of 1954 to accelerate the collection of estate and gift taxes, to continue excise taxes on passenger automobiles and communications services, and for other purposes, pursuant to House Resolution 1296, he reported the bill back to the House.

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

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

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

MOTION TO RECOMMEND OFFERED BY
MR. CHAMBERLAIN

Mr. CHAMBERLAIN. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. CHAMBERLAIN. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. CHAMBERLAIN moves to recommit the bill, H.R. 19868, to the Committee on Ways and Means.

Mr. MILLS. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

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

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. MILLS. Mr. Speaker, I ask unanimous consent that all Members be permitted to extend their remarks in the Record just prior to the passage of the Excise, Estate, and Gift Tax Adjustment Act of 1970.

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

There was no objection.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 404]

Abbott	Aspinall	Bolling
Abernethy	Ayres	Brasco
Adair	Beall, Md.	Bray
Adams	Belcher	Brock
Addabbo	Bell, Calif.	Brooks
Anderson, Ill.	Berry	Broomfield
Anderson, Tenn.	Biaggi	Burton, Utah
Arends	Bingham	Button
Ashbrook	Blackburn	Caffery
	Boggs	Camp

Carey	Hébert	Purcell
Carney	Heckler, Mass.	Quie
Celler	Hungate	Randall
Chappell	Ichord	Rees
Chisholm	Jarman	Reid, N.Y.
Clancy	Jones, N.C.	Reifel
Clark	Karth	Reuss
Clay	Kee	Rivers
Collier	Keith	Roberts
Collins, Ill.	King	Rogers, Colo.
Conable	Kluczynski	Rooney, Pa.
Corbett	Koch	Rosenthal
Cowger	Kuykendall	Rostenkowski
Cramer	Landrum	Roudebush
Crane	Langen	Rousselot
Cunningham	Latta	St Germain
Daddario	Leggett	Saylor
Dent	Long, La.	Schadeberg
Devine	Lujan	Scherle
Diggs	Lukens	Scheuer
Donohue	McCarthy	Schneebell
Dowdy	McClary	Shibley
Edmondson	McClure	Sikes
Edwards, La.	McCulloch	Snyder
Esch	McDade	Staggers
Eshleman	McFall	Steed
Evans, Colo.	McKneally	Steele
Evins, Tenn.	Madden	Stephens
Fallon	Mailliard	Stokes
Farbstein	Mann	Stuckey
Fish	May	Taft
Ford	Meeds	Teague, Tex.
William D. Foreman	Meskill	Tiernan
Fraser	Michel	Tunney
Fulton, Tenn.	Mink	Van Deerlin
Fuqua	Morgan	Waggonner
Gallagher	Morton	Ware
Gaydos	Moss	Watson
Gettys	Murphy, N.Y.	Weicker
Gialmo	Nix	Whalley
Gilbert	O'Konski	Whitehurst
Gray	O'Neill, Mass.	Whidnell
Green, Pa.	Ottinger	Williams
Hagan	Patman	Wilson,
Hall	Pepper	Charles H.
Halpern	Philbin	Wold
Hanna	Pike	Wolff
Hansen, Idaho	Podell	Wyatt
Harrington	Pollock	Wydler
Hawkins	Powell	Wylie
Hays	Pryor, Ark.	Yates
	Pucinski	Zion

The SPEAKER. On this rollcall 250 Members have answered to their names, a quorum.

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

AUTHORIZING ADDITIONAL APPROPRIATIONS TO THE SMITHSONIAN INSTITUTION

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 878 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 878

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 13956) to amend the Act of October 15, 1966 (80 Stat. 953; 20 U.S.C. 65a), relating to the National Museum of the Smithsonian Institution, so as to authorize additional appropriations to the Smithsonian Institution for carrying out the purposes of said Act. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on House Administration, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments

thereto to final passage without intervening motion except one motion to recommit.

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

Mr. Speaker, House Resolution 878 provides an open rule with 1 hour of general debate for consideration of H.R. 13956 to amend the act of October 15, 1966, relating to the National Museum of the Smithsonian Institution.

The purpose of H.R. 13956 is to authorize additional appropriations to the Smithsonian Institution for carrying out the National Museum Act beyond fiscal year 1970 through fiscal year 1974.

The act of 1966 directed the Smithsonian Institution to engage in a continuing study of museum problems and opportunities, to conduct training in museum practices, to prepare museum publications, to perform research in museum techniques, and to cooperate with agencies of the Government concerned with museums.

The act authorized \$200,000 for fiscal year 1968, \$250,000 for fiscal year 1969, \$250,000 for fiscal year 1970, and \$300,000 for fiscal year 1971, and stated that in subsequent fiscal years only such sums may be appropriated as the Congress authorizes.

No funds were appropriated by the Congress for purposes of the act in fiscal years 1968 and 1969. The Smithsonian's budget estimates for 1970 when submitted to the Congress included an amount of \$80,000 for projects under the act.

Prior to the submission of budget estimates for fiscal year 1972, it will be necessary to have either an authorized limit or the elimination of the limit. To allow a safe margin of time for congressional consideration and action, it is believed that the legislation should be enacted in the current session of the Congress.

Mr. Speaker, I urge the adoption of House Resolution 878 in order that H.R. 13956 may be considered.

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

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

Mr. Speaker, House Resolution 878, as stated by the gentleman from California (Mr. SISK), provides for an open rule with 1 hour of general debate on the bill.

Mr. Speaker, the purpose of the bill is to authorize funds for the Smithsonian Institution for carrying out the purposes of the National Museum Act through fiscal 1974.

The National Museum Act of 1966 reaffirmed the Smithsonian's traditional role of assistance to our Nation's museums. It was authorized to carry out studies of museum problems and opportunities, to conduct training in museum administration, publication, and research practices.

Congress did not appropriate funds in 1968 and 1969. For 1970, the Smithsonian has budgeted \$80,000 for projects under the act.

The bill will provide authorization through 1974 of "such sums as may be necessary," with the limitation that no

more than \$1,000,000 may be appropriated in any one year.

Mr. Speaker, I think that this bill is an innocuous bill in view of the fact that the Committee on Appropriations has not taken the authorization seriously enough to even appropriate any funds to the Smithsonian Institution for the last 4 years.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. THOMPSON of New Jersey. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 13956) to amend the act of October 15, 1966 (80 Stat. 953; 20 U.S.C. 65a), relating to the National Museum of the Smithsonian Institution, so as to authorize additional appropriations to the Smithsonian Institution for carrying out the purposes of said act.

The SPEAKER. The question is on the motion offered by the gentleman from New Jersey (Mr. THOMPSON).

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 13956, with Mr. HAMILTON in the chair.

The Clerk read the title of the bill.

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

The CHAIRMAN. Under the rule, the gentleman from New Jersey (Mr. THOMPSON) will be recognized for 30 minutes, and the gentleman from Iowa (Mr. SCHWENDEL) will be recognized for 30 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. THOMPSON).

Mr. THOMPSON of New Jersey. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the National Museum Act of 1966, Public Law 89-674, reaffirmed the Smithsonian Institution's traditional role of providing aid to museums in the United States.

The act directed the Institution to undertake continuing studies of museum problems and opportunities, to conduct training in museum practices, to prepare museum publications, to perform research in museum techniques, and to cooperate with agencies of the Government concerned with museums.

The act authorized appropriations of \$200,000 for the fiscal year 1968, \$250,000 for fiscal year 1969, \$250,000 for fiscal year 1970, and \$300,000 for fiscal year 1971.

The act states that in each subsequent year only such sums may be appropriated as the Congress may hereafter authorize by law.

No funds were appropriated in fiscal years 1968 and 1969. For the purposes of the act, \$40,000 was appropriated in fiscal year 1970 and \$32,000 in fiscal year 1971. Mr. Chairman, H.R. 13956 simply provides authority for appropriations beyond fiscal year 1971.

Mr. Chairman, the gentleman from Iowa (Mr. KYL) asked the question of me a few moments ago with respect to the language in the bill as to whether he was correct in his opinion that the authorization is open ended. I would like to make clear for the legislative history, the authorization in the last sentence of the bill provides that no more than \$1 million shall be appropriated annually through fiscal 1974, and conforms with the original act. That language has the effect of terminating this authorization in 1974 for the very simple reason that there would not be any appropriations possible after 1974 without a renewal of the authorizing legislation.

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

Mr. THOMPSON of New Jersey. I yield to the gentleman.

Mr. KYL. Mr. Chairman, I thank the gentleman for yielding because I have a number of questions I would like to ask concerning the bill which I think of interest to the Members.

The gentleman has spoken of assistance from the Smithsonian and two other institutions and for studies independent of the Smithsonian itself.

Is it not true—one—that there are funds now being used from the Arts and Humanities Division for this kind of assistance to museums in the country?

Mr. THOMPSON of New Jersey. No, it is not necessarily true.

Mr. KYL. For what purposes are the funds being used that go to museums?

Mr. THOMPSON of New Jersey. To my knowledge neither of these foundations, the National Council and the Arts and Humanities undertakes in any way the type of assistance provided in the National Museum Act. There are grants involving museums but none of the specific nature covered by this legislation.

The National Endowment for the Humanities has made grants for a museum fellowship program which are not related to this legislation—and to the Museum Historical Society seminars—not related; and to museum internship programs—not related. That is the extent of their involvement.

This is to give technical assistance. For example, following the devastation of the hurricane in Mississippi about a year or so ago the Jefferson Davis Shrine and Memorial Gardens in Biloxi, Miss., found much of their highly treasured collection scattered and damaged by storm. They called upon the Smithsonian Institution for technical assistance in preserving and reassembling the collection.

This is the type of assistance that comes under this act. As does the training of museum exhibitors.

In Charleston, W. Va., for instance the Children's Museum and Planetarium sought assistance so that they could reorganize their exhibits for the benefit of their visitors. The Smithsonian under the National Museum Act sent some technical experts to Charleston, and as it developed it became what amounted to a regional meeting on technical advice for museums.

Mr. KYL. Mr. Chairman, would the gentleman yield further?

Mr. THOMPSON of New Jersey. I yield to the gentleman.

Mr. KYL. When the House passed the State Historical Preservation Act the House also authorized participation of the United States in a conclave which is held at Rome and the authorization was for a considerable amount of money. In that case the sole purpose as I understood it at the time and still understand it is to develop techniques which are necessary for restoring and preserving artifacts and matters of antiquity and so on; is that not correct?

Mr. THOMPSON of New Jersey. That is my recollection—although I must admit I do not have a total knowledge about it.

Mr. KYL. This was called the Rome Foundation or something of the sort—but Rome was in the title.

Mr. THOMPSON of New Jersey. My recollection is vague and I will have to rely on the gentleman's interpretation.

Mr. KYL. I simply want to point out that this is not the only place where Federal money is expended for this purpose.

I have a few other questions.

Are these figures accurate so far as the Smithsonian operation is concerned?

For the fiscal year 1970 the appropriation was \$44.2 million. For the fiscal year 1971 it will be \$42.8 million.

Are those figures correct?

Mr. THOMPSON of New Jersey. I think not. The appropriation for fiscal 1970 was \$29 million.

The subcommittee recently had extensive hearings on the Smithsonian and its operation and history on which the report is in the process of being drafted.

The amount is \$29 million and the difference between the \$29 million and your figure is reflected by income from private trust funds and grants from other organizations with which we have nothing to do—such as the Freer Gallery endowment and a number of others.

Mr. KYL. With the background information that there is a sizable appropriation for the Smithsonian itself, and considering only the elements which are the subject of the legislation before us, is it not true that the original act, which authorized \$1 million over a 4-year period, has seen the appropriations process provide \$40,000 in the third year, after having no appropriations for the first 2 years, and in the last year an appropriation of \$32,000? Is that not correct?

Mr. THOMPSON of New Jersey. That is correct.

Mr. KYL. In other words, what we are proposing to do here is to spend \$1 million per year through 1974 in comparison with appropriations of zero, zero, \$32,000, and \$40,000?

Mr. THOMPSON of New Jersey. I might say to the gentleman that I am not proposing any specific amount be spent. I am proposing that the authorization be expanded from \$250,000 to \$1 million. The appropriations responsibility reposes in the Appropriations Committee. I am aware of the fact that there were no appropriations in the first 2 years of the act. Frankly, I would be surprised if anything like a million dol-

lars is appropriated. But they do hope to expand their activities because of all the difficulties in which the 5,000 museums in the United States find themselves.

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

Mr. THOMPSON of New Jersey. I am glad to yield.

Mr. KYL. It is true that with a \$250,000 a year authorization, which means \$1 million over 4 years, we have actually had appropriated \$72,000 in the 4 years?

Mr. THOMPSON of New Jersey. Yes, that is true.

Mr. KYL. In other words, having spent only \$72,000 in 4 years—

Mr. THOMPSON of New Jersey. If I may respond—the gentleman has made this point twice—I understand that \$40,000 was appropriated for fiscal 1970, and \$32,000 in fiscal 1971. No funds were appropriated in fiscal 1968 and 1969.

Mr. KYL. With that kind of background, why must we raise the authorization from \$250,000 to \$1 million a year, when we have never come close to the original authorization?

Mr. THOMPSON of New Jersey. If I might explain the reason further, allow me to refer to a result of a request by President Johnson, a study entitled "America's Museums: The Belmont Report." At the appropriate time I intend to ask consent to put that report in the RECORD for everyone's edification.

In summary, that report describes the tremendous difficulties in which the Nation's 5,000 museums find themselves. Even if \$1 million a year were appropriated for the next 3 years and the Smithsonian used all of the money, it would be but a pebble on the beach, to use a figure of speech, toward alleviating museum problems. The Smithsonian hopes to expand its activities under the National Museum Act, with the agreement of museums throughout the United States.

I am not trying to say to you, my distinguished colleague from Iowa, that a number of dollars can be appropriated or should be appropriated under this act. I merely wish to raise the authorization—and the other body agrees—to a point at which, if they can persuade the Appropriations Committee, they could get up to \$1 million.

Mr. KYL. Mr. Chairman, will the gentleman yield at that point?

Mr. THOMPSON of New Jersey. I am glad to yield.

Mr. KYL. I want to thank the gentleman very sincerely. He is very patient. The appropriation for the National Museum Act is not a line item in the bill containing appropriations for the Smithsonian generally, is that correct?

Mr. THOMPSON of New Jersey. I think that is correct.

Mr. Chairman, as I said in my colloquy with my friend from Iowa, there are over 5,000 museums in the United States, many, many of them suffering acute shortages of funds. They find themselves barely able to operate, when they really should be renewing their exhibits and expanding their services.

The plight of these museums has a great effect on the community in which

they are located and on the many thousands of people who visit them. If a local museum has particularly interesting exhibits, it is very rare that it is visited only by the people of that locality. People travel by the hundreds and by the thousands to see those exhibits. The Belmont report makes quite clear the need for trained museum specialists, in effect, museum scientists.

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

Mr. THOMPSON of New Jersey. I yield to the gentleman from Iowa.

Mr. GROSS. I thank the gentleman for yielding.

The gentleman speaks of persuading the Appropriations Committee. I think the gentleman ought to persuade the Members of the House, whether they are on the Appropriations Committee or not, that this authorization should be made in the first place, so I hope he will help me out of my dilemma.

Mr. THOMPSON of New Jersey. I will try my best to persuade my friend.

Mr. GROSS. In view of the colloquy between the gentleman from New Jersey and the gentleman from Iowa, I am persuaded up to this point that there should not be any authorization at all.

Mr. THOMPSON of New Jersey. In other words, it is incumbent on me to dissuade the gentleman and then persuade him all over again.

Mr. GROSS. In the report on page 2, it is stated that one of the accomplishments of the National Museum Act administrators, whoever they are, was "discussion and advice on where to locate a natural history museum in Louisville, Ky." Was it impossible for the people of the city of Louisville to decide where they should locate a museum? Do we have to provide the money to send bureaucrats to Louisville to persuade them where they should locate a museum?

Mr. THOMPSON of New Jersey. Louisville is so rich in cultural activities and natural resources that there were several absolutely beautiful places where they could have put this, but they had questions of topography and geography and traffic patterns, and they did feel they needed some assistance. I think their concentrations have been in other things. Their concentrations have been so very intense in those areas that they sought advice about museums, just as one wanting to lay out a racetrack would, no doubt, consult Kentucky about how best to do it.

Mr. GROSS. I would urge my friend, the gentleman from New Jersey, to keep right on talking, because I think this is helpful to those of us who are opposed to the bill.

However, on page 3 of the report, it is stated that funds previously provided also supported annual meetings of the Southeastern Museums Conference at Little Rock, Ark., and Norfolk, Va., to provide professional consultation on basic museum problems and to publish reports. That is a big order especially the publishing of reports but, I wonder why Little Rock, Ark., and Norfolk, Va., needed this? Are these outstanding centers of culture, as is Louisville, Ky.

Mr. THOMPSON of New Jersey. Yes,

I would say they are centers of culture, as is Louisville, Ky.

Mr. GROSS. As opposed to not such important centers elsewhere?

Mr. THOMPSON of New Jersey. Oh, yes, there are others. We are very fortunate in the United States. We have many centers of culture.

Mr. GROSS. Then there is also listed participation in two annual workshops for small museums in Texas. I thought that oil-rich Texans were pretty well able to take care of their own museums, but it seems they had to have bureaucrats sent down there to teach them how.

Mr. THOMPSON of New Jersey. I am going to make part of the RECORD some examples of the types of assistance provided. The gentleman is delightful in his colloquy, but the fact is that the museum activities are really of tremendous importance to the people of the United States, wherever they are, and museum science is a highly complex field, involving the natural sciences and all sorts of other technical matters.

Mr. GROSS. I have one final question. Is there anything in this bill related to the Hirshhorn setup that is proposed to be built over on the Mall?

Mr. THOMPSON of New Jersey. I would say that it has a relationship, in that the Hirshhorn Museum, when it comes into existence, will be a museum and will be under the umbrella of the Smithsonian. But this act does not have any direct relationship to it, as to where it is to be put or for whom it is to be named or anything like that.

Mr. GROSS. This is the same Hirshhorn who reportedly got into serious financial difficulties in Canada, but who is now seeing a museum constructed and bearing his name over on the Mall?

Mr. THOMPSON of New Jersey. Yes. There have been such allegations made and they have been made about the man for whom the museum will be named, unless of course there is a change.

Mr. GROSS. I thank the gentleman for yielding.

Mr. THOMPSON of New Jersey. I thank my friend.

Mr. Chairman, the fact is that although this is a very modest proposal, in the context of the problems which museums throughout the United States are having it amounts to very, very little. As I indicated in earlier colloquy, the appropriation of every nickel authorized, were this bill to pass, if used in the best possible manner by the Smithsonian, would be but a drop in the bucket toward the solution of the needs of the museums in the United States.

We have a long and distinguished history, beginning with the advent of the Smithsonian Institution 124 years ago of having the great museums here, under the Smithsonian, and many other museums throughout the United States.

I might say that we have had letters in support of this from the State Capitol Museum, Olympia, Wash.; the Arts and Science Center, Nashua, N.H.; the Lowe Art Museum, University of Miami, Coral Gables, Fla.; the Museum of Fine Art, St. Petersburg, Fla.; the Central Florida Museum and Planetarium, Orlando, Fla.;

the Merrimack Valley Textile Museum, North Andover, Mass.; the Ft. Worth Museum of Science and History, Ft. Worth, Tex.; the Museum of Art and Science, Macon, Ga.; the New York State Historical Association, Cooperstown, N.Y.; the Field Museum of Natural History, Chicago, Ill.; the State of New Jersey Department of Education; the Grand Rapids Public Museum, Grand Rapids, Mich.; and the American Association of Museums. All have endorsed this badly needed authorization.

Mr. Chairman, there are over 5,000 museums in the United States and many of them are suffering an acute shortage of funds. Some of them are barely able to operate when they should be renewing their exhibits and expanding their services. The plight of these museums affects the communities they serve, because museums in general have much to do with improving the quality of life wherever they are found.

"The Belmont Report," which is a study conducted by the Smithsonian Institution and the American Association of Museums tells of the museums' problems. I shall request unanimous consent to have the report inserted in the Record at this point. I will simply generalize on it for the moment.

Although visits to museums have tripled in the last 15 years, museum budgets have not kept pace. The result is a lack of money to train museum specialists and pay them salaries that would attract them to museum work.

Another problem is refurbishing and replacing exhibits. Many museums cannot build new exhibits, much less keep their present ones in good shape.

Museums are also finding it increasingly difficult to reply to the many requests they get by mail asking for information or identification of objects. Some museums have simply stopped responding because they do not even have the staff necessary to handle routine administrative problems.

Because of its resources many museums turn to the Smithsonian for advice and assistance. Some 5,000 such requests are received every year. The National Museum Act of 1966 recognized the Smithsonian's traditional role of assisting museums. In spite of the fact that Congress has appropriated very little of the funds authorized, the Smithsonian has expended an average of \$80,000 a year of other funds for the purposes of the act.

The National Museum Act should not be thought of as the answer to the plight of museums in general, but it is an important step in the right direction.

The report follows:

EXAMPLES OF ASSISTANCE PROVIDED TO MUSEUMS BY THE SMITHSONIAN INSTITUTION

For many years the Alaska State Museum has endeavored to preserve in place the totem poles and other wood carvings of the Alaskan Indians, but little action has been possible because of the lack of funds. Responding to requests for help, the Smithsonian Institution made a short motion picture of the beauty and neglected condition of these carvings, and advised on specific and likely sources of funds to aid in the preservation. One result is that the present session of the Alaska House of Representatives unanimously

passed legislation which appropriates \$50,000 for totem pole preservation and early passage by the Alaska Senate is expected. The Smithsonian continues to advise on methods and sources of additional assistance to preserve these historically significant carvings.

The Children's Museum and Planetarium of Charleston, West Virginia, requested instruction on methods to improve that Museum's exhibits. The Smithsonian agreed to send designers and technicians to instruct in the methods of planning and producing exhibits provided the Museum would assemble personnel from other museums in the vicinity who wished similar instructions. This was done and Smithsonian personnel aided a group of small museums with a single brief course of instruction and demonstrations.

Large and small museums throughout the country are members of regional conferences offer opportunities for museum personnel to exchange information about new programs and techniques. The Smithsonian was requested to aid in improving the content and organization of the meetings. Through the AAM the Smithsonian has made it possible for the conferences to have structured programs with professional consultants conducting discussions and answering questions of the members. These conferences span the United States and reach the smallest museums.

Following hurricane Camille the Smithsonian responded to urgent requests for help to recover and preserve valuable historical collections scattered by the storm over the grounds of the Jefferson Davis Shrine and Memorial Gardens in Biloxi, Mississippi. The Smithsonian conservator and one assistant went to Biloxi and established emergency treatment methods which the museum staff could carry out to preserve the damaged collections.

At three annual conferences of small museums of Texas, the Smithsonian provided experts from its staff to instruct and inform on museum practices.

A staff member of the Smithsonian serves on the commission appointed by the Governor of Virginia to plan a science and technology museum for Richmond, Virginia.

A member of the scientific staff of the Smithsonian spent two days in consultation with the officers and personnel of the Buffalo Museum of Science at Buffalo, N.Y., making recommendations for the rehabilitation of that museum.

Two Smithsonian curators and two exhibition specialists advised in considerable depth and detail on the content and installation of exhibits at the recently opened Oakland Museum at Oakland, California.

In the period January 1, 1969 to March 3, 1970, 1626 individuals came to the Smithsonian Office of Exhibits for demonstrations and instruction on exhibition design and production. About 600 of these were personnel from museums. In the same period 34 museum career personnel were trained in courses of instruction three weeks to six weeks in length. It is estimated that the cost of the time of Smithsonian designers, technicians, and others devoted to this instruction was about \$33,000.

AMERICA'S MUSEUMS: THE BELMONT REPORT
(A report to the Federal Council on the Arts and the Humanities, by a special committee of the American Association of Museums, October 1968)

SUMMARY

This is a report on a priceless national treasure—the works of art, the historic objects and the scientific collections in the custody of America's museums. In scope and magnitude this treasure is unmatched by that of any other nation, and it has enriched the minds and lives of countless Americans. Once lost, it can never be replaced.

Today the institutions which have this

treasure in their custody are in serious trouble. The totally unpredicted popular success of American museums has strained their financial resources to the breaking-point, has compelled them to deny service to much of the public and will require many of them, unless help comes, to close their doors. Museums have arrived at the point where they can no longer preserve and exhibit the national treasure without substantial national aid.

President Johnson, aware of the problem, asked the Federal Council on the Arts and the Humanities to report to him with recommendations for action. The Council commissioned the American Association of Museums to assist it, particularly in responding to these three questions about museums asked by the President:

"What is their present condition?"

"What are the unmet needs of America's museums?"

"What is their relation to other educational and cultural institutions?"

This report is in response to these questions.

Chapter I of the report explains the functions of museums, tells how they operate, and describes the astonishing range of their educational and cultural activities. Chapter II discloses the soaring demands on museums, as a result of which they are having to curtail service. Chapter III examines their financial problems. Chapter IV presents the case for Federal support to place museums on a parity with other institutions contributing to the national interest. Chapter V discusses ten major needs which museum representatives believe deserve priority. Chapter VI, after considering the Federal machinery which might be used to provide support to museums, concludes with recommendations for action.

DEMANDS ON MUSEUMS

Thirty years ago America's museums reported that their attendance totaled 50 million visits a year. Today the total is known to be in excess of 200 million and probably approaches 300 million. Museum attendance has increased much faster than has the population of the United States. The increase has been so rapid, and has reached such a level, that museums now have to turn down requests for service. Yet the times call for a sharp increase in the educational and cultural opportunities which museums are uniquely equipped to provide.

The increased demands on museums come from all ages and segments of the population, affect not only the institutions in metropolitan centers but those elsewhere, and reflect the dependence on museums of both the disadvantaged and the affluent.

So far as can be foreseen, the factors responsible for the increased demands on museums are likely to continue to prevail indefinitely.

THE PRESENT CONDITION

The basic reason why museums cannot meet today's demands is that they cannot afford to. Operating expenses have shot up during the past 10 years, in many instances doubling. Yet museums, almost without exception, are understaffed and their staffs are underpaid. Salaries of professional and technical personnel are not competitive with comparable positions in other educational institutions. Museum staffs have failed to grow at a rate appropriate to the pace of museum attendance or the growth of their collections.

Some of America's museums occupy buildings which antedate the Twentieth Century. Few are modern. More than half try to use structures never designed as museums. Most, if they are to serve the public adequately, require additions, replacements and extensive modernization of plant and equipment. Funds to increase staff or to pay staff

members competitive salaries, or to modernize museum buildings and facilities, are not at present available to museums. Less than 1 per cent of their income for operating expenses comes from the Federal Government. The remaining 99 per cent comes from non-federal sources—private givers, and state and municipal governments. Only a handful of museums are supported wholly by private funds.

MUSEUMS AND THE EDUCATIONAL SYSTEM

A good many Americans go to museums because there they find pleasure and delight they obtain nowhere else. For others, museums make possible the enjoyment of learning—often for the first time. A museum can stretch the mind as well as engage the emotions.

A large number of American museums maintain close working relations with schools and colleges, and nine out of ten offer educational programs. In the United States, more than in any other country, museums provide educational service to the school system and to the general public. A large museum in a big city will have as many as seven classes of school children coming to the museum for guided tours every hour of every school day. In such a museum total attendance in organized school groups will exceed 500,000 a year.

The relationship of museums to the educational system begins at the pre-school age and continues up to and beyond the Ph.D. level. In certain fields of study, colleges and universities could not grant degrees unless their students had access to museum collections and museum research. The research function of museums may not be widely known, but it is basic to "the increase and diffusion of knowledge among men."

THE CASE FOR FEDERAL SUPPORT

Museums base their request to the Federal Government for support on the following grounds:

(1) Museums provide educational and cultural services which no other institutions in the nation either do or can provide.

(2) A number of museums provide nationwide service on funds which are disproportionately local in origin.

(3) Though museums cooperate in anti-poverty and other Federal programs, they have not received appropriate reimbursement for this service from the Federal Government.

(4) Though the resources of museums are made available to schools, colleges, universities and individual scholars for research that is financed by the Federal Government, the Government has not helped museums meet the costs incidental to such service.

(5) The collections, facilities and staffs of museums produce research which the Government uses and the value of which is recognized by Federal departments and agencies. Increased Federal support for such research is in the national interest.

(6) The Federal Government has an obligation, as yet unmet, to assist in preserving, maintaining and wisely utilizing the national treasure in museums on behalf of all the American people. This report does not suggest that the Federal Government assume dominant responsibility for the financial support of America's museums, but it does suggest that the time has come for the Government to assume a partnership role.

PRIORITY NEEDS

The report lists ten major needs of museums as deserving priority, and divides them into two groups.

The first group includes needs which bear on the ability of museums to reach more people. These needs concern:

Nationwide services financed largely out of local funds;

Services provided by museums for the Federal Government without appropriate reimbursement;

Rehabilitation, expansion, modernization of museum buildings, equipment and exhibits to meet present and future public demands;

The training of professional and technical personnel required by museums;

Research by museums on ways of improving the quality and usefulness of museum services for the educational system and for the general public;

Expansion of traveling exhibits to reach people who do not have ready access to museums;

Increased use of mass media, including television, to make the resources of museums available to more people.

The second group of needs relates more particularly to essential internal functions of museums. These needs concern:

The financing of basic research in museums and the share of the responsibility to be borne by the museums and by the Government;

Special research into methods of conserving for posterity the art, history and science collections in museums, and provision for laboratory facilities, equipment and staff for such research;

An inquiry to determine the specifications of a computer network which would provide a modern method of storing and retrieving information on museum collections, which now are vast.

To meet these ten priority needs, museums are already devoting as much of their financial resources as they possibly can. They cannot begin to make a dent in these needs, however, without the help of the Federal Government.

While it is not possible at this time to state with precision how large a Federal contribution is required, preliminary estimates put it somewhere between \$35 million and \$60 million for the first year. At present, Federal grants of all kinds to museums (apart from the appropriations to The Smithsonian Institution) total only a fraction of \$35 million, and most are limited to scientific research of special interest to government departments and agencies.

RECOMMENDATIONS

The Committee of Museum Needs believes that the existing machinery of the Federal Government can go a considerable distance in meeting the priority needs of museums, if funds are appropriated and if certain amendments to statutes already on the books are made. Accordingly, the Committee submits the following recommendations:

That the National Museum Act be funded with an appropriation of at least \$1 million for the first year;

That grants to museums from Federal Departments and agencies already concerned with museums be sharply increased;

That the Federal Government, as a matter of basic policy, recognize museums as educational institutions, working in formal affiliation with elementary, secondary, undergraduate and graduate level institutions;

That the Federal Council on the Arts and the Humanities, in furtherance of the above basic policy, be asked to study the problems of museums further and to make recommendations with reference to existing legislation to the end that the Federal Government may meet its obligations to museums;

That this report be published for the information and use of all those concerned about the future of museums.

THE PRESIDENT'S LETTER

THE WHITE HOUSE,

Washington, D.C., June 20, 1967.

HON. S. DILLON RIPLEY,
Chairman, Federal Council on the Arts and Humanities.

DEAR MR. RIPLEY: America's five thousand museums are among our most precious cultural and educational resources. Their collections, their trained staffs, and their

facilities contribute immeasurably to the enrichment of the nation's life and to educational advancement at every level.

Not only do imaginative museum exhibits excite the curiosity of millions; many scholars—in science, in the arts and the humanities—rely upon museum collections for their raw material.

Attendance at U.S. museums has already passed 300,000,000 visits a year. In many places, inadequate museum budgets and facilities are under severe strain. In the future, the nation's museums will be expected to reach and serve additional millions. Accelerated research programs will cause more and more scholars to seek access to museum collections.

Our museums have shown their willingness to join with other institutions to promote the "increase and diffusion of knowledge among men." Certainly they should have the wherewithal to do that great work effectively.

For this reason, I am requesting the Federal Council on the Arts and Humanities to study thoroughly the status of American museums and report to me. What is their present condition? What are the unmet needs of America's museums? What is their relation to other educational and cultural institutions? I hope that the Council will recommend ways to support and strengthen our museums.

The Federal Council is the appropriate body to consider the status of our museums. Its member agencies should provide all possible help to the Council as it performs its work.

I look forward to receiving the Council's recommendations.

Sincerely,

LYNDON B. JOHNSON.

LETTERS OF TRANSMITTAL

AMERICAN ASSOCIATION OF MUSEUMS,

Washington, D.C., May 21, 1970.

MR. ROGER STEVENS,
Chairman, Federal Council for the Arts and Humanities, Washington, D.C.

DEAR MR. STEVENS: On behalf of the American Association of Museums, I am very pleased and honored to transmit to you the report called for by the President in his letter of June 20, 1967, to the Honorable S. Dillon Ripley.

The President asked for information concerning the status of American museums with emphasis on the following points:

1. "What is their present condition?"
2. "What are the unmet needs of America's museums?"
3. "What is their relation to other educational and cultural institutions?"

We have answered these questions to the best of our ability.

I hope this report is to your satisfaction. It represents the scope and breadth of the museum profession, the social and economic conditions under which museums exist, and the cultural and educational contributions which they could provide the nation in the years to come.

Your assistance and patience during the preparation of this document are gratefully acknowledged and appreciated. If there are further matters of concern in this regard, we are at your service.

Sincerely yours,

CHARLES PARKHURST,

President, American Association of Museums.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES,

Washington, D.C., November 25, 1968.

THE PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: On behalf of the Federal Council on the Arts and the Humanities, I am privileged to forward you the enclosed report, "The Condition and Needs of America's Museums".

On June 20, 1967, you asked the Federal Council to study thoroughly the status of America's museums, to assess their present condition and unmet needs, to identify their relationship to other educational and cultural institutions, and to recommend ways to support and strengthen these unique repositories of scientific, artistic, and historical wealth.

The report was the subject of continuing discussions at quarterly meetings of the Federal Council and was the subject of many meetings of the Council's museum subcommittee. It drew upon the knowledge and insights of the most distinguished directors, curators and other museum professionals as well as educators, foundation officials, and public-spirited citizens. It drew, too, upon virtually all of the rather limited museum literature presently available. Given the limitation brought about by the shortage of relevant data, the Council believes the report to be the most comprehensive and significant assessment of America's museums presently available.

It is the view of this Council that the report documents the broad scope of museum services and makes it abundantly clear that the nation's museums play an authentic and major role in the nation's cultural and intellectual life. The report makes clear, too, that a persuasive and insistent financial crisis confronts these institutions.

A strong case can be made for federal support. It is in the national interest to protect our cultural heritage as other countries have effectively done for many years. Collectively the nation's museums preserve, exhibit, and interpret the irreplaceable treasures of America, and of man. Together with schools and libraries they represent the communities—and the nation's—resources for educating tomorrow's citizens. If the present financial dilemma were not a source of serious concern, these functions of museums alone would commend a sustained federal interest to a nation increasingly concerned with the quality of our national life.

Faced, as are all of America's cultural institutions, with a demand for greater service to their community and nation and experiencing a relative decrease in traditional sources of funds, it is apparent on the basis of information presently available that additional resources will be required to meet these expanding demands, or in some cases, to present further reduction in existing services.

But a reduction of museum services at the very time when millions of Americans are looking eagerly to them—and to other cultural institutions—to give added dimension and meaning to their lives must not come about through inaction or inadvertence. Steps can be taken now to meet specific serious needs. Further steps should be taken in the near future to insure continuing support which will provide federal resources while encouraging increased support from traditional sources.

The Federal Council urges consideration of the following steps which may be taken now without major legislative change and within the framework of existing law:

1. A number of existing federal agencies, by outstanding authorizations, could make funds available for needs of museums directly. In the Council's judgment these programs would be effective temporarily in meeting such needs and would be in the public interest. While they are helpful, they lack the funds to make them fully effective. For example, the National Endowment for the Humanities conducts programs of museum internships and fellowships to increase the professional competence of museum professional staffs and through its research program, supports museum-based projects which will contribute to new knowledge in the humanities. The National Endowment for the

Arts has conducted programs to disseminate art museum holdings to broader audiences, supported museum purchases of living American artists, and supported specific museum exhibitions. The Office of Education supports, through its Arts and Humanities Branch, museum programs which encourage and assist museums in performing better the educational function. The National Science Foundation has, as the report recognizes, been a leader in museum support, most of it in the form of awards for basic research but some for capital improvement. Yet the National Science Foundation could, with adequate funds, support a much broader spectrum of activities: research training and technical training programs, education, operational support, equipment and facilities. The full funding of such programs could have immediate beneficial impact on the nation's art, history and science museums, and the Council strongly urges such a step.

2. Under the authority of the National Museum Act the Smithsonian Institution is authorized to cooperate with museums and their professional organizations, to carry out programs of training for career employees in museum practices, to support museum publications, to undertake research on the development of museum techniques and to cooperate with government agencies concerned with museums. Yet that authorization, approved in October, 1966, has not yet received any of the appropriations authorized for fiscal years 1968 and 1969. The Council recommends appropriations for fiscal year 1970 and subsequently.

3. Some federal agencies administer educational and cultural programs for which museums do not qualify as direct grantees. Although careful thought should be given to qualifying museums as direct grantees through amending present law, the Council believes that museums could, as indirect grantees, play a larger role than is presently given them and urges appropriate administrative directives to that end. The Council urges that efforts be made to extend to museums opportunities for equal participation in federally funded activities and that state educational agencies be urged to implement requirements for full compensation and effective joint planning under the Elementary and Secondary Education Act.

4. Careful consideration should be given to changes in the treatment of museums for tax purposes which would extend to them the benefits available to other educational institutions.

Beyond these immediate steps the Council believes the national interest requires major, comprehensive and sustained programs in support of the nation's museums. These programs should be directed particularly toward helping meet construction and operating costs and should be so designed that present sources of funds, both public and private, be not only continued at present levels, but substantially increased through a matching program. Perhaps an amended Library Services and Construction Act would be an appropriate start. However, to achieve the goals mentioned in the report, significant amendment of existing law or entirely new legislation is required. The formulation of such legislative proposals is beyond the authority of the Federal Council, but the Council here notes its readiness to participate fully in any such work.

In addition the Council urges these further recommendations:

1. Because there presently exist no standards against which the all-around excellence of individual museums might be measured and since broad federal support such as that envisaged above should be restricted to those institutions which have attained a level of quality commensurate with accepted standards, the profession should be strongly urged to establish such standards throughout the museum field.

2. The report's description of museum functions and demands, its account of their present condition, and its identification of unmet needs should be of wide interest to the nation's museums, museum-goers, and those concerned with American culture. The Council recommends, therefore, that the report be widely circulated as a means of soliciting and focusing the views of all interested citizens. A broad critique of the report could initiate that extensive public dialogue which is essential to the responsible commitment of public funds.

Respectfully,

ROGER L. STEVENS,
Chairman.

FOREWORD

The genesis of this report was the letter from President Johnson to the chairman of the Federal Council on the Arts and the Humanities expressing his concern over the present condition and needs of museums. To obtain the information needed for a reply to the President, the Federal Council requested the assistance of the American Association of Museums. In November, 1967, utilizing funds made available by five member agencies of the Federal Council, the Association began its work. Agencies supporting the study were the U.S. Office of Education, the National Endowment for the Humanities, the National Science Foundation and The Smithsonian Institution.

The Association began by selecting a small group of museum directors, together with several non-museum persons, including a writer, to assemble the information, examine the condition of museums, decide the priority needs and suggest ways of dealing with them. The directors in this group are representatives of the principal categories of museums.

The procedure involved two lengthy conferences by the group at Belmont,¹ a Maryland county estate, and brief questionnaires to museum directors on specific museum needs. In addition, the writer visited representative museums and conferred individually with a large number of museum professionals. Several drafts of the resulting report were then examined and discussed by the conferees. The report as presented here has their approval.

The museum professionals who served as conferees are:

W. D. Frankforter, Director, Grand Rapids Public Museum, Michigan.

Frank H. Hammond, Director pro tem, American Association of Museums.

Louis C. Jones, Director, New York State Historical Association, Cooperstown, New York.

Sherman Lee, Director, The Cleveland Museum of Art.

George E. Lindsay, Director, California Academy of Sciences, San Francisco.

Thomas M. Messer, Director, The Solomon R. Guggenheim Museum, New York City.

Charles Parkhurst, Director, The Baltimore Museum of Art and President of the American Association of Museums.

H. J. Swinney, Director, The Adirondack Museum, Blue Mountain Lake, New York.

Frank A. Taylor, Director, United States National Museum, The Smithsonian Institution.

Evan H. Turner, Director, Philadelphia Museum of Art.

Bradford Washburn, Director, Museum of Science, Boston.

E. Leland Webber, Director, Field Museum of Natural History, Chicago, and Chairman, Committee on Museum Needs of the American Association of Museums.

The conferees unaffiliated with museums are:

John B. Davis, Jr., Superintendent of Schools, Minneapolis, Minnesota.

¹ Hence the name, "The Belmont Report."

John R. Fleming, Writer, Chevy Chase, Maryland.

Nancy Hanks, Executive Secretary, Special Studies, Rockefeller Brothers Fund, New York City.

J. Newton Hill, Director, Karamu House, Cleveland, Ohio.

The conferees are indebted to many museum professionals throughout the United States for their help in providing information and pertinent suggestions. The contributions of the lay members of the group deserve special mention. In addition, we particularly wish to acknowledge the helpful counsel of Roger Stevens, Chairman of the National Endowment for the Arts; S. Dillon Ripley, Secretary of The Smithsonian Institution; Harold Howe, United States Commissioner of Education; and Kermit Gordon, President, The Brookings Institution.

The counsel and assistance of Barnaby Keeney, Chairman of the National Endowment for the Humanities, and the action of that Endowment in providing the grant which has made this report possible, are gratefully acknowledged.

Throughout this undertaking the expert assistance of Mrs. Carolyn Wells as research assistant has been invaluable. Finally, the author of the report, John R. Fleming, has brought objectivity and sensitivity to a very complex task. All members of the Committee, and indeed, all museums, owe him a deep debt of gratitude.

E. LELAND WEBBER,

Chairman, Committee on Museum Needs.

1. MUSEUMS AND THEIR FUNCTIONS

For the purposes of this report a museum is an institution which performs all, or most, of the following functions: collecting, preserving, exhibiting and interpreting the natural and cultural objects of our environment.

This somewhat austere functional definition does not, however, convey the spirit or explain the mission of a museum, its mission, as distinct from the bare bones of its function, is two-fold: the advancement and diffusion of knowledge, and the enhancement of that awareness which affords pleasure and delight.

A special word is called for with respect to "pleasure and delight." Inasmuch as this report dwells at some length on the educational function of museums, a function not automatically associated with pleasure and delight. Though museums devote much time and money to educational programs this does not at all mean that they have lost interest in providing opportunities for the pleasure and delight of their visitors.

Indeed, most museums allocate most of their budgets to other than formal programs of education. Art museums, for example, aim to provide the esthetic and emotional pleasure which great works of art offer. This is a primary purpose of an art museum. It is assumed that a majority of the people who come regularly to art museums come to be delighted, not to be taught, or preached at, or "improved" except by the works of art themselves. An art museum, is—or ought to be—a place where one goes to be refreshed.

In short, museums are so constituted that they can provide delight as well as education. When these two objectives merge into one, as they often do, so much the better.

The museum tradition in America

The men who established the first American museum, in Charleston, South Carolina, in 1773, said their purpose was "promoting a Natural History" of their region. Americans have been collecting objects and creating museums ever since, and at an accelerating rate.

Apparently no other people has engaged in this activity on so vast a scale, over so long a period without a let-up, and in so many diverse fields of human interest. American art museums have combed the world to

acquire and display great works of art. History museums have collected and preserved objects which recapture and illuminate the American past. Natural history museums have sent their expeditions to every continent and to the Seven Seas in order to bring back original evidence of plant and animal life, past and present, and of the history of the earth, for examination by scientists and the general public.

By now a major American art museum will number its works of art by the thousands, and natural history and history museums count the items in their collections by the millions. So enormous an accumulation, it has been remarked by Edgar P. Richardson,¹ constitutes a new national resource—as if a new range of mountains comparable to the Rockies should appear. It has involved an historic migration to the United States of millions of objects—including the art of Rembrandt and Leonardo da Vinci, the magic symbols of the Stone Age in New Guinea and the fossilized remains of dinosaurs from the Gobi Desert.

The extraordinary public response to what museums offer suggests that the public feels strongly about these institutions. They offer alluring ways to learn about man and his world, the better to understand who we are, where we are, how we got this way, where we are going. For uncounted thousands of individuals museums make possible—often for the first time—the enjoyment of learning. Museums, the daily attendance suggests, offer an opportunity to enjoy a work of art—or sometimes to denounce it, which is another form of enjoyment. They offer an opportunity to satisfy curiosity which may be transformed unpredictably from that which is idle and bootless to something quite different. These are some of the reasons why people flock to Museums. They underline and justify the functions of collection, exhibition and interpretation, which are the visible parts of a museum's assignment.

The museum spectrum

It is not generally realized that there are now more than 6,000 museums in the United States, that they come in all sizes and shapes and conditions, and that they engage in an extraordinary variety of activities. For example: The Museums Director of the United States and Canada (1965), published by the American Association of Museums, in listing 4,595 of the 6,000 or more museums known to exist, arranges them in 84 categories. The major and most familiar groupings embrace art, history and science museums. These account for 43 of the 84 categories. The remaining 41 are specialized museums, proceeding alphabetically from agriculture and animal farms to whaling and woodcarving and along the way listing circus museums, a crime museum, lock museums, money and numismatics museums, transportation museums, wax museums.

Within the broad category of art museums are art association galleries, china, glass and silver museums, folk art museums and textile museums, among others. "History" includes historic houses, military museums and preservation projects as well as general history museums. The science category, broadest of all, includes aeronautics and space museums, aquariums, arboreta, aviaries and ornithology museums, botanical gardens, insect collections, herbariums, herpetology museums, planetariums, wildlife refuges and zoos, not to mention the familiar and more inclusive natural history museums.

Museums vary in size, as measured by attendance, from those attracting fewer

than 5,000 visits a year to those which count visits in the millions during a single year. They vary in budgetary importance from those with only a few thousand dollars a year to spend to large institutions with annual budgets of several million dollars.

A relatively small number of museums accounts for a high proportion of total attendance. An American Association of Museums survey in 1962 found that of 1,964 museums responding to an inquiry, 638 (32.4 percent) reported annual attendance in excess of 35,000 visits, with 1,326 museums (67.6 percent) reporting attendance of less than 35,000.

Traditionally, as noted earlier, the functions of the museum have been to collect, conserve and interpret objects of art, science and history. These are cultural and educational functions which obviously are basic to a civilized society. They characterize most museums. They continue to collect, to make their collections available for research, and to draw on them for exhibitions and publications.

In a break with tradition, some art museums have turned away from the acquisition of a permanent collection to concentrate on contemporary works and the encouragement of living American artists. Similarly, some science museums no longer collect scientific specimens or conduct research on them. They concern themselves with interpreting and teaching through exhibits, demonstrations, discussions and other means. In some instances the term "science center" has replaced the word "museum." Without exception, however, the exhibits and programs of the new science centers make use, directly or indirectly, of the objects collected by the more traditional museums. For without these objects there would be no original evidence with which to educate.

In response to a changing audience and changing demand, many museums have become community centers for a broad range of community activities, including the performing arts, while continuing to fulfill their traditional museum functions.

In performing an educational function, museums provide a kind of learning that is available nowhere else. Schools and colleges recognize this by relying on museums to provide what books cannot—great works of art in the original, significant historic objects, specific specimens which are original evidence of the nature and evolution of man and his world.

Because it has these treasures in its care, and a staff of academic excellence to interpret them, the museum has something to offer that no other institution has. Increasingly important, the museum provides an opportunity for parents to expose their children to an enjoyable learning experience and the excitement of intellectual exploration—a most meaningful family learning relationship.

To construct an air-tight, precise definition to cover all American museums may be impossible. What can at least be done is to single out some common denominators. All museums are non-profit institutions. Virtually all are open to the public of all ages, races, religions and conditions. They live by certain ethical and professional standards. They are concerned in one way or another with education. And they perform a function which no other institution does. These are common denominators which obtain for all qualified American museums.

The range of activities in museums

The daily routine of a large museum covers an astonishing range and variety of activities. One director of a large museum complex devoted to the sciences, when asked to say what goes on in his museum on a typical day, provided the following informal report:

"Anywhere from 10 to 50 people will bring

¹"The Museum in America, 1963." *Museum News* September 1963. Dr. Richardson was formerly Director of the Henry Francis du Pont Winterthur Museum, Winterthur, Delaware.

in minerals or butterflies or other objects for identification, for which they are referred to the appropriate research department. A scientist from India may be working in the ichthyology collections. One from Brazil could probably be found there too, because we have the world's most comprehensive collection of fishes from the rivers of Brazil.

"A doctor may send the stomach contents of a patient to one of our mycologists to see if the wild mushroom the patient ate is a particularly dangerous kind. U.S. Government people working on plant quarantine duties, or on public health, will come in to have something identified or to use our collections and library.

"A staff botanist may be consulting with a scientist from a pharmaceuticals manufacturer to determine the identity of a potentially useful drug plant. Next door, a curator may be analyzing organic debris that has been found contaminating food products. In the taxidermy laboratory, technicians are sculpting a model of a prehistoric fish for a new exhibit.

"In the Division of Insects a curator might be studying a relationship between the peculiar flies that parasitize bats and the distribution of species of bats. In the Division of Mammals a curator might be working on the association between coat development of mammals and climatic variation. Almost certainly in several divisions museum technicians would be assembling material from the collections for shipment to universities in distant corners of our country. Such material as likely as not would be used by graduate students working for their doctorates.

"Again, this could have been the day, recently, when the health authorities of Bolivia turned to us for aid. They were faced with an epidemic. The suspected carrier animal was rushed to us for identification. The curator's scientific knowledge enabled him to identify the carrier—a small rodent resembling our common field mouse. The museum's publication describing its habits, and life cycle pointed the way to fast control of the epidemic.

"During the day the planetarium might receive dozens of telephone calls asking about an astronomical phenomenon noticed the night before—a meteor shower, perhaps, or the vapor trail of high-flying aircraft. It would be a rare day that didn't see people bringing turtles or 'pet' fish or reptiles to the aquarium. And a class of youngsters would doubtless be in the museum, some to attend a lecture, some to amuse themselves caring for the live animals there.

"All this goes on in a museum on an average day, a day during which hundreds and even thousands of visitors, young and old, spend a few hours looking at exhibits, or attending a planetarium program, or viewing a film of a museum expedition, and in the course of the day gaining a new appreciation of the world in which they live."

That is to say, much more than meets the eye goes on in any large museum, whether its field is science or art or history. Much that goes on rests upon research. It is the invisible function of a museum. It came rather late in the evolution of American museums; it is rarely appreciated by the general public and is usually overshadowed by more glamorous activities, but without it the museum's function of interpretation would wither away and a museum's collection would lose value and meaning.

The research function

Before a museum hangs a painting on a wall or exhibits historic or scientific objects, it exercises its research function. Some member of the staff, at some point, has studied the painting and also tried to learn all he can about the artist who painted the picture and about his period and his con-

temporaries, just as the staff of a history museum has tried to learn as much as possible about the historic object in order to understand its significance. This kind of research is indispensable if the people who go to museums are to have an opportunity to understand and appreciate what they are seeing.

The only trouble, directors of art and history museums agree, is that there isn't nearly enough of this kind of research. Staffs in many museums don't have the time to do research, aren't large enough, in some cases are not qualified to do it.

In an art museum it is not enough to identify a work of art and determine its condition and whether it is authentic (authenticity itself being a research problem). What is needed both by the public and the museum itself is the basic historical material which provides a complete life history of each work of art and of the artist, the importance of the work, its condition, school and period, origin, previous owners—in short, a complete, accurate catalog which can be a permanent reference. Unfortunately, such research and such catalogs are expensive in staff time and printing costs.

"With the help of the Ford Foundation, 29 of the country's several hundred art museums are currently doing the research and cataloging they have long needed to do. One of the 29, for example, the Worcester Art Museum, has not been able to publish a scholarly catalog of its work since 1922, and that catalog has been out of print for 25 years. The necessity for its current research is illustrated by the discovery that paintings which the museum had always attributed to such artists as Whistler, Turner, Constable and Courbet are not, in fact, by them. The Metropolitan Museum of Art has encountered a similar problem with some of its Rembrandts."

Research in art museums is in the main directed at two areas: (1) research on new or potential acquisitions and on the permanent collections; (2) research in depth on special subjects which results in special exhibitions. These exhibitions are major factors in an art museum budget, a significant item in that budget being the catalog which records permanently the results of the research.

Research for special exhibitions has unusual importance because their quality tends to be considered a gauge of the distinction of the institution. Moreover, since attendance in art museums is affected to a significant degree by the year's program of special exhibitions, the professional staff's research may be directed into this area to a degree that some might think disproportionate.

In a history museum, or in an historic home or site, the research problem is roughly comparable to that of an art museum.

Obviously, the historic object must be authentic. This calls for research. Less obviously, but equally important, to interpret the object for the visitor requires that someone with the right qualifications has investigated both the object and the role it played in history, and has done some thinking about its significance for the present as well as for the past. Some history museums and historic establishments are able to do this, but many have yet to do it.

Since one purpose of a history museum is to recreate the past in the minds of the living, "one must study not only what was written, but also what was sat upon, eaten from, ridden on, and lived in and with." This requires research, a great deal of it.

So does the preservation of works of art

Carroll Lindsay, Director of Museum Services, New York State Museum and Science Service, State Education Department, Albany.

and historic objects require research. Once the paint on a Titan begins a crack and peel, it can be too late to conserve it. Yet this is a common and acute problem in art museums, just as preserving the irreplaceable is in history museums. American museums have been aware of these problems of conservation for many years, of course, have tackled them with varying degrees of success, and have steadily moved toward research in this field.

The research task in natural history museums

It is in the natural history museum, more than any other, that research has long been emphasized. Its field of inquiry is as extensive as the universe. It is concerned—as the collections in major natural history museums show—with taking inventory of all life on the earth and with the earth itself, with the evolution of life, with the interrelationships of one form of life and another, with the relationships between an organism and its environment. The aim is an understanding of our fellow-inhabitants of our planet—and of ourselves.

To achieve this understanding in an incredibly complex world, man has to learn how nature operates and how it came to be for everything from chromosomes to a mountain is the product of forces operating throughout the history of the universe. The first step in learning about these forces is to gather samples of the living universe for study in a museum laboratory. Once the samples have been collected, stored and classified, the result is an inventory of nature—an orderly classification of minerals, rocks, fossils, living plants, and animals, and objects of human culture. Only then can they be analyzed to produce what science seeks: new knowledge, new understanding.

The main research goal of natural history museums in the biological area is to increase our understanding of the evolution of diversity in nature. This means that we try to understand the patterns of adaptation of plants and animals, the patterns and rates of evolution of species and groups of species, the distribution of species and of communities of species, and the forces that lead to change in these phenomena.

Anthropologists on the staffs of museums are concerned with the physical evolution of man and with the evolution of societies, technology and human behavior in general. Where did we come from? How did we get here? The ultimate, unanswered question is: where are we going? Museum scientists, though they are not alone in the task, can and do contribute to the information and understanding required to answer such questions.

Museum geologists have been in the forefront of the study of minerals and land masses. They investigate such disparate subjects as the mechanisms by which particular types of minerals and rocks are formed in the earth, the movements of continents, and the structure and composition of meteorites.

Scientists on the staffs of museums and botanic gardens are engaged in what is called pure or basic science. That is, they are concerned with understanding the fundamental phenomena and processes of nature. However, the line between basic and applied research is fuzzy and much of the work of museum scientists, as of those in other types of institutions, has practical implications. For example, the classifications of plants and animals developed in the course of research by museum biologists provide systems for information retrieval. The information desired may be merely an identification of an insect pest. Or it may be a list of insects that parasitize the pest.

On a large scale, knowledge of natural diversity and of the patterns of natural communities of plants and animals is essential to ideas concerning the development of natu-

ral communities. This seemingly esoteric subject may prove to be vital to our survival, for through it we may come to understand how much we can pollute our environment without courting disaster and what kinds of agriculture are most likely to feed successfully a huge world population over a long span of time.

Museums as educators

A child who visited a children's museum for the first time recently was asked to say what she liked best about it. She wrote: "I liked it best because the things I saw were fun, even though I learned things."

Accustomed to school but not to the museum, the child was struck by differences between the two institutions. One difference is that museums are wide open to individual exploration, outside the restrictive framework of a classroom or a curriculum. There are no examinations, no bells to signal the time for a class. There is, on the other hand, a special effort to make learning attractive, even fun.

There is a more basic difference between schools and museums, however. This difference lies in the fact that words are the principal educational tools of a school, whereas objects are the principal educational tools of a museum. This is of practical importance, since psychologists have discovered that some children are object-minded but not word-minded. A visible, tangible, concrete object has meaning for them; words, being abstract, fail to register.

"We assume today that one can read about objects. They can be illustrated in books. It is not, therefore, necessary to touch them. One doesn't have to savor tactilely the texture of objects, to read them manually, to hear the records of the sounds of the audible world, to be an educated person, granted that diploma. And yet many people are not really born only to be literate. Many people are born with their talent to be illiterate, to read with their hands, to read with their ears, to develop a comprehensive talent for living only with the whole of the senses. Many highly creative and inventive people, as we all know, are much less interested in reading than 'norms' or levels of education set own by the departments of education would have us believe."³

Probably the chief claim for the importance of museums as educational institutions lies in the objects they collect and protect. They use objects—original evidence usually available only in a museum—to tell the dramatic story of earth through time, of life upon the earth and of how man himself evolved, worked, dreamed and created. It is a story that can be told by words, but words cannot have the impact of an object that is original evidence, whether it is a painting by Rembrandt, the fossil of a creature that existed 80 million years ago, or George Washington's home at Mount Vernon. Moreover, only a part of education is formal. Many of our most educational experiences take place outside the classroom. Voluntary learning, as a part of a family group, can be a powerful adjunct to formal education.

This point was made in a poignant letter to the director of one of our major natural history museums by the mother of a deaf mute. She made a habit of taking her children, including the deaf child, to the museum. The child was so impressed by the dinosaurs that he went home and drew a surprisingly accurate picture of the brontosaurus. Wrote the mother, in sending the drawing to the museum: "How could we have explained [in words] the density of the bones, the height, the very existence of the pre-historic animals . . . [or] the environmental difference the dinosaur enjoyed . . . ?"

The superiority of objects over words is summed up by the museum curator who said: "Girls are more interesting than descriptions of girls." This may well be the definitive statement on the subject.

From pre-school to Ph. D.'s

American museums are outstanding in educational programs and service to our educational system. Trustees and directors of American museums give high priority to what they consider a fundamental educational responsibility. It is characteristic of an American art museum, for example, to consider that it is obligated to give its audience a sense of the major accomplishments in world art, to enable the visitor to learn—if he cares to—the language of art, to cultivate his ability to discriminate, to enrich his knowledge of his own cultural heritage and to heighten his perception of the world about him.

Well over 90 percent of all American museums offer at least one educational program; many museums, especially the larger ones, offer an astonishing variety to meet the needs of different age groups and different interests.

"The Heard Museum of Anthropology and Primitive Art in Phoenix, Arizona, for example, takes exhibits of artifacts, dioramas and teaching aids to the schools, provides a year-round arts and crafts program for children, also schedules lectures and movies every week.

"The Denver Museum of Natural History holds evening excursions to the museum for teachers and principals to explain how the museum can help them.

"The Herron Museum of Art, Indianapolis, offers adults Sunday afternoon programs, lectures, gallery tours and a Center for Art History Studies in cooperation with seven Indiana colleges.

Boston Museum of Science: in addition to lectures and guided tours the educational program includes live animals and physical science demonstrations, summer teachers' courses, science projects for elementary school teachers.

"City Art Museum, St. Louis: a 'Museum Adventures' program for teenagers, plus radio and TV programs, lectures, films, concerts and scheduled classes.

"New York State Historical Association, Cooperstown, New York: programs for school groups and a state-wide junior history program; lectures, films; annual seminars on American culture; two programs, in cooperation with the State University College in Oneonta, leading to a degree.

"Rochester Museum of Arts and Sciences: a lending collection of 5,000 objects is available for classroom use. 'Hobby Council' includes 39 clubs in horticulture, crafts, collecting and science. Also: classes, film programs, field trips, lecture courses for adults.

"North Carolina Museum of Art, Raleigh, has initiated a new project designed to teach blind children to appreciate art through a sense of touch. The museum also offers seminars and a Sunday afternoon series of lectures, films, and concerts."⁴

The above is a small sample of educational programs in American museums.

The extent to which museums supplement the school system is suggested by the fact, for instance, that the Los Angeles County Museum of Natural History has seven classes of school children coming into the museum every hour of every school day.

To schedule and plan these guided tours of school children is a major task. Museums proceed on the principle that the time to start learning is early in a child's life, and the earlier the better. This requires a good working relationship between schools and

museums. Fortunately, a good relationship generally obtains. Scheduling tours of school children is a joint school-museum enterprise, related, where possible to the curriculum. Scheduling has to take account of museums' space limitations and the scarcity of trained guides.

"The scheduling of guided tours is necessarily quite detailed, for example, at 9 a.m. on May 1, 1968, The Baltimore Museum of Art, which is host to about 1,000 grade school classes a year, prepared itself to accommodate nine groups from Baltimore area schools for guided tours. The nine groups, chosen by the schools, included 1st, 3rd, and 4th grade classes with teachers. The Museum, for its part, assigned eight staff members or volunteers to conduct the tours, help the children learn what to look for, and answer questions. This was a typical day, and typical of all categories of museums across the country. The strain on museum budgets is considerable, but schools and museums alike agree this kind of education is essential.

"Since single, hurried visits are of limited value, most museums plan a series of tours. Thus the Toledo Museum of Art, which sees some 800 grade school classes in a year, maps out a carefully planned series of visits—four visits of about 45 minutes each for grades 1 through 3, eight visits of an hour long for grades 4 through 6, and so on. The Toledo Museum also offers high school juniors talks on the development of art and music which parallel their courses in American literature and history, and offers seniors instruction related to their studies in English history and literature. This is in addition to basic courses in art for children and for adults, studio courses, lectures on art and on music, and performances in the Museum by orchestras, choral groups and soloists."

The extent to which museums can serve education necessarily depends in part on their location. There is a striking coincidence in recent findings that 21.2 per cent of the 23,390 school districts in the United States included 84.5 per cent of the total school population,⁵ and that 17.9 per cent of the 1,928 museums surveyed accounted for 85.1 per cent of the total museum attendance.⁶

Though the data cited above do not name the cities involved, it is a fair assumption that museums recording 100,000 or more visits annually are located in or near the school districts enrolling 1,800 or more students. America's museums, by and large, are in the right position to serve American education.

A typical educational program in a large museum now begins with preschool children (the Head Start Program) and proceeds through elementary and secondary grades to college, university and post-graduate levels. At the college and post-graduate level the number of students involved is not large, but the scope and variety of programs offered in partnership with universities are impressive. These museums provide teachers, facilities, essential research and teaching collections, and research guidance and review for candidates for master's and doctor's degrees, in science, art and history.

In Cleveland, for example, all fine arts classes of Case-Western Reserve University are held at the Cleveland Museum of Art. Members of the curatorial staff of the Museum have adjunct appointments at the University and provide the greater part of fine arts courses offered both graduates and undergraduates. The Museum's Slide Department and Library provide the principal source and reference material for all courses. In addition, the Museum's collections are open on a part-time intensive basis to fine arts students of the University.

³ "Statistic of the Month." *American Education*, Office of Education, June, 1968.

⁴ *A Statistical Survey of Museums in the United States and Canada*. American Association of Museums, 1965.

³ From an address, "Museums in Today's Changing World," by Dr. S. Dillon Ripley, Secretary of the Smithsonian Institution.

⁴ "Report on the Educational and Cultural Activities of 60 Museums." American Association of Museums, 1965 (unpublished).

The American Museum of Natural History, in cooperation with the City College of New York, offers courses in 19 different subjects. The California Academy of Science has contractual arrangements with San Francisco colleges and universities to provide instruction and facilities for graduate students in systematics and ecology. The Field Museum has similar arrangements with colleges in the Chicago area, as does The Winterthur Museum in Delaware, the New York Botanical Garden in the New York area, Colonial Williamsburg in Virginia, and the Smithsonian Institution in Washington. Such arrangements are typical among major museums.

It is widespread practice for museums and universities to establish a close working relationship in order that students and faculty may utilize museum collections available nowhere else. And while museums do not grant degrees, college students in many cases receive college credit for the museum courses they take.

"And . . . in one university museum where I worked, 40 percent of all graduate degrees given in one department and 30 percent in another were solely due to the presence of a museum and museum collections at that university. Important areas of our government responsibility in geology, vital areas of our teaching in anthropology were filled with people who had graduated through these museum-related departments, people who had used the objects, the collections, in a completely meaningful way, which could never be assumed through or by books. And so the world of learning must get the point. Graduate and post-doctoral work can be centered in museums. Museum-oriented programs must not only be tolerated but encouraged in the universities and exchanges freely entered into at all levels."

For the disadvantaged

Questioning the adequacy of the American educational system is hardly new, but lately it has become unusually intense. Parents and educators alike express dissatisfaction with current results in many public schools. The consequence is an active search for better ways of stimulating the learning process.

The dissatisfaction is especially acute with respect to the education of disadvantaged children in slum areas. City schools have turned to museums to provide a supplement to their curriculums and to help solve the problem of interesting disadvantaged children in learning. The result has been to add significantly to museum attendance—and operating costs.

One example will illustrate what is happening: organized group attendance of school children at the Field Museum in Chicago rose in three years from 228,000 in 1964 to 315,000 in 1966. Much of this increase came as a result of Federal programs for disadvantaged children, programs beginning with pre-school groups and extending into college groups.

The objective is to give disadvantaged children an opportunity open to most city children but rarely to them—the chance to get a taste of the wonders of a large museum, in the belief that the experience can strike a spark and stimulate learning.

The guided tour is one of several programs to this end. For older youngsters and potential dropouts, work-study projects have been devised by museums in cooperation with schools and Federal agencies. Thus the New York Botanical Garden developed a program in gardener training for students from a Bronx high school. Field Museum, in a work-study project begun in 1965 under the provisions of the Economic Opportunity Act of 1964, has for three years provided jobs for college students from the Negro sections of Chicago. They serve as helpers to laboratory

technicians in preparing specimens, as guards, in editorial work, and in a dozen other capacities. Both the students and the museum think the experience rewarding.

Because underprivileged children in a large city do not ordinarily go to museums, the Museum of Arts and Sciences in Rochester, New York, has devised ways to take the exhibits to them. The Museum provides portable exhibits; volunteers transport them to settlement centers, install them and, when necessary, explain them. The exhibits include some objects for "touch and see" use and when possible are tied in with weekly story hours conducted by visiting librarians.

Sullivan House, located in one of Chicago's worst slum neighborhoods, has found another way to tap the resources of a museum. Among the children in whom this settlement house is interested are nine boys ranging in age from 10 to 15. All are below grade level in school. All have been involved with the police. Three are in classes for the mentally handicapped.

The first time the director of Sullivan House took the boys to the Field Museum, he wasn't surprised to have them ignore most of the exhibits and behave as if in an amusement park. Nevertheless, some exhibits in the museum so caught their interest that they have become regular visitors. Some of the nine have asked help in making an Indian totem pole. Others roam the anthropology halls for ideas for art designs. Apparently the museum stimulated a desire to learn that their schools had never been able to arouse.

College and university museums

Consideration of American museums necessarily includes college and university museums even though they are, to some extent, outside the scope of this report. Since they function as a department of the parent institution, their aims and the bases of their support differ from those of a public museum. Their financial needs are met, as a rule, by the parent institution.

More than 400 colleges and universities have campus museums, many supporting more than one. These vary from one-room specialized collections for occasional classroom use to large multi-department institutions. The majority of museums are in the disciplines of art and science (the historical documents being kept in libraries rather than museums).

The number of campus art museums is growing, along with the number of art departments. The collections are generally geared to the courses in the art department and to the needs of the students. Most of the museums are set up as independent units, often in their own buildings, with a director who may also be head of the art department and who is responsible to the president of the parent institution.

In one university, the paintings and graphics are hung in each of the 99 buildings on campus, so that students are constantly exposed to them. Another university specializes in its museum in conservation work and the training of graduate students who will become museum directors and curators. Another university museum, with growing support from sources outside its university, is expanding to meet the needs of state and regional interests. Another, with membership fees as its major source of income, serves the community as well as the university. Still another, financed mainly by private funds, extends its activities beyond the university by means of twelve traveling exhibitions.

Although universities have tended to discard their natural history collections because of the present-day emphasis on molecular biology rather than on taxonomic biological training, there are more science museums than any other kind on American campuses. Some have distinguished themselves in archaeological and anthropological exploration. Their primary functions, though, are

teaching and research in the interests of the related departments of their universities.

Education by science centers

The demand for museum education to supplement that of schools, and the interest in new methods of teaching, have led to the establishment of museums which are not museums in the conventional sense. Some, still museums in name, are devoted almost wholly to the role of a science teaching center. Others, newly established, have both name and role of a science teaching center. Education is their principal purpose and activity.

The Oregon Museum of Science and Industry at Portland, for example, has 10 classrooms, a planetarium, buses to take classes to the field for study of mountains, volcanoes and marine life, a science fair program, a research laboratory set aside for promising young scientists and inventors and summer camps for natural science. In the Museum's Student Research Center, one youngster is building a wind tunnel for rocket flight research, another is studying the regeneration of limbs in salamanders, and a team of four has designed a weather-satellite tracking station which will provide weather pictures and information for Portland's airport weather station. In all of these activities the Museum cooperates closely with the schools and has their blessing.

The American Museum of Atomic Energy at Oak Ridge, Tennessee, financed by the Federal Government, operates a fleet of ten vans which take apparatus and visual aids to the schools of several States for demonstration and instruction in nuclear physics. The equipment is assembled on school stages and explained by a trained lecturer.

Still another kind of science center is that in Seattle, the Pacific Science Center. Like the others it works closely with the schools of its region and offers both exhibits and classroom programs. It is particularly concerned with the teaching of mathematics, as basic to science. Staff personnel work with school teachers and classes, by arrangement, on such topics as coordinate graphing, fractions and partitioning sets, solid geometry, minimal surfaces and probability. Modern visual aids and new kinds of exhibits, some of them unique, are employed.

Planetariums are also evolving as science centers interested in educational programs. The arrival of the space age has naturally aroused enormous interest in the universe, and a planetarium is a place to learn about it painlessly. The number of planetariums in the United States has shot up overnight. A recent survey reported 421 of them in 45 of the 50 States. Nearly all have educational programs, some of them very extensive. Planetarium directors have found that their institutions possess unusual possibilities for stimulating learning.

The school-museum relationship

Though museum directors are putting special emphasis on educational programs, there is a limit to what museum staffs, facilities and finances can do. If museums divert resources from the primary functions of collection and preservation and research, they weaken their usefulness as museums.

It needs to be understood that museum people are not interested in replacing the school system, nor do they think they can. The school has the principal responsibility for education. In a sense it is limited, however, in that it teaches primarily from the printed page. Museums teach by the use of three-dimensional, tangible objects. Museums do not consider it their primary responsibility in educational programs to transmit information. What museums can do—often better than schools—is to awaken interest, give children a new dimension they couldn't get from the printed page and stimulate them to go back to school and learn.

Many museums have "alumni" whose in-

*From an address, "Museums in Today's Changing World," by Dr. S. Dillon Ripley, Secretary of The Smithsonian Institution.

terest in their careers began when as children they visited the museum. No survey has ever tallied the total of such alumni, but it must be sizable. It includes many men and women now in high places in their professions. They discovered, as children, that a museum is a place which can stretch the mind and engage the emotions.

2. THE DEMANDS ON MUSEUMS

Figures on attendance are a measure of public demands on American museums. Thirty years ago attendance at museums was in the neighborhood of 50 million visits a year.¹ Fifteen years ago attendance exceeded 100 million visits a year.² By 1962, six years ago, the U.S. total had reached 200 million visits a year,³ and this time it required only 10 years for the total to double, even though from a higher base. Today, 1969, total attendance is believed to exceed 300 million a year.

What the total will be five or ten years from now can only be guessed at. One museum director notes with some concern that if attendance at his museum increases by 50 per cent during the next ten years, as it has during the past ten, his present total of 3,000,000 visits will rise to 4,500,000 by 1978.

The population of the United States is currently increasing at the rate of 1.15 per cent a year, but museum attendance is escalating at a far higher rate. The number of new museums has also been increasing at an accelerating rate.

The phenomenon of rising attendance appears to be nationwide, though especially marked in big cities. Attendance at Boston's Museum of Science rose from 411,483 in 1963 to 526,941 in 1967. Chicago's Field Museum recorded 1,049,000 visits in 1958, 1,787,000 in 1966. California's Academy of Science in San Francisco reported close to 3,000,000 last year. Baltimore's Museum of Art saw its attendance nearly double between 1965 and 1968. In upstate New York, Buffalo's Albright-Knox Art Gallery noted little change in attendance between 1950 and 1960, when the total was 147,000, but by 1965 the total soared to 348,665. The American Museum of Natural History in New York reported attendance in excess of 3,000,000 last year. The Metropolitan Museum of Art has seen its attendance go from 4,005,490 in 1960 to 6,281,162 in 1965. The Smithsonian's new Museum of History and Technology, during its first ten months, recorded more than 5 million visits.

This growth in attendance is not limited to metropolitan centers. Museums in medium-sized cities and in small towns also report sharp increases. In many instances the total attendance at the museum is now several times as large as the town's population. And the number of museums in small towns and semi-rural places, it needs to be noted, exceeds the number in large cities.

How many of the 300 million visits a year are made by repeat visitors is not known with any exactitude, but several museum directors estimate a proportion of repeat visitors ranging between 40 and 60 per cent.

When educational demand exceeds supply

So rapidly has usage increased, with its accompanying requests for service, that museums find it necessary to turn down many requests. The doors remain open because of a responsibility to the public, but when attendance goes up sharply while staffs and funds remain unchanged, something has to give. What "gives" is the kind of museum service that requires staffing.

The Cleveland Museum of Art, for example, turns down approximately one-fifth of all

requests for gallery guidance during the week; all requests for Saturday mornings, limits Saturday afternoon groups to two and turns down all requests for Sunday. Talks given by the museum staff at Cleveland public schools have had to be stopped. Requests for regular TV programs cannot be accepted because demands on the staff would be too great. Twice as many requests for case exhibits from the museum are received as can be accommodated.

The Chicago Historical Society, with no more staff or space in 1968 than in 1965, but with attendance up 17 per cent, reports telephone and mail requests for service or information running in excess of 700 in a 20-day period. Requests for more museum classes, guided tours and gallery talks cannot be met. The director estimates that to satisfy all requests would require double the present staff and budget.

The experience of museums in New York State appears to be typical. In 1962 an official survey disclosed that leading museums throughout the State were so limited in staff and facilities that they could provide guided tours or teaching service for less than half of those requesting the service. The American Museum of Natural History, for example, had to turn down requests for teaching service for an average of 1,000 school children a day.

Inquiries in 1968 show that the situation is no better, and in many instances is worse.⁴ This is not peculiar to New York State or New York City; other States and cities have had comparable experience.

If this is a problem for the present, it is even more of a problem for the future. The director of a major art museum in the Midwest puts it this way:

"We have attracted enormous audiences which we are unable to take care of properly. We haven't the staff or the room or the facilities to give most of our visitors a proper introduction to works of art or the interpretation they ought to get. Nor can works of art be as available to serious students, let alone the casual visitor, when our galleries are so crowded.

"And yet, with urban population expected to continue to grow, and museum attendance along with it, we shall be in a worse fix in the years ahead than we are now."

The demand for education

Early in the decade of the Sixties a survey of 600 museums selected for their well-established educational programs revealed that each year 8 million school children participated in educational classes at these 600 museums. This was in addition to the 5 million adults who attended classes and lectures, plus 56,000 art students and 14,000 other students who registered for college-credit courses, plus 4,000 advanced students who enrolled in joint museum-university graduate courses.⁵

Large museums currently report that as many as 500,000 school children come to the museum during the school year. In some instances more than half of these youngsters come from schools outside the locale of the museum. It is now routine for busloads of school children to travel 200 miles or more for their museum visit. This is true both for large museums in central cities and for smaller museums which may be in a small town or semi-rural place but which have collections and exhibits of wide interest.

When people cannot get to the museum, the museum—as noted earlier in this report—devises ways to go to the people. This may take the form of science kits for use in schools (as developed by the Oregon Mu-

seum of Science and Industry in cooperation with the American Association for the Advancement of Science), or history kits prepared by the history museums, or film strips and portable exhibits for art museums.

This device of taking the museum to the people is now in common use. The Cleveland Museum of Art in 1967 provided exhibitions in three regional galleries and installed some 600 exhibits in area schools, colleges and libraries. Chicago's Field Museum of Natural History last year sent portable exhibits to more than 500 schools for the enlightenment of approximately 500,000 children. The National Gallery of Art provides schools with traveling exhibits consisting of films, film strips and film lectures with recorded texts. The audience for these traveling exhibits during the year exceeds 970,000 persons. During 1960-65 National Gallery exhibits reached 2,703 cities.

Still another way to take the museum to the people is by establishing branch museums. This has long been advocated but not widely practiced. It is expensive and, for an art museum, extremely difficult. There is renewed interest in it, however, especially as a way to reach people in slum areas.

Museum professionals are watching with interest the Smithsonian's recently established small branch museum in the Anacostia section of Washington. This is a low-income neighborhood, predominantly Negro. The residents are given a voice in deciding what the museum should exhibit and are encouraged to regard it as their museum. The response has been heart-warming. What was once a movie theater is now a place in which Anacostia youngsters can for the first time in their lives discover the delights of art and pursue a newly awakened interest in science. But the problem of financing the Anacostia branch museum has yet to be solved.

Service to higher education and research

For any museum with a large collection, whether of objects of art or science or history, service to scholarly research is a primary function. Allied to this function is that of providing facilities for training graduate students in the arts and sciences, in a degree-granting partnership with universities. These are functions which no museum director wishes to slight.

By contrast with the number of school children visiting museums, the number of scholars and graduate students involved will seem minuscule. A large science museum may have only a thousand or two outside scholars at work on its collections during the year. The results of the work of this thousand or two, however, are likely to be out of all proportion to the number involved. And it is for this purpose, quite as much as any other, that the museum acquires and maintains its collection.

There is a present danger that museum service to scholarly research will suffer because of the rapidly increasing and more obvious demands of schools and the general public.

Yet the nation's need for research and for research facilities will continue unabated. In some fields the research demands on museums have increased as a result of increased Federal funds to colleges and universities. The difficulty is that such Federal grants do not necessarily cover the museums' expenses for the services rendered.

The museum as community center

American museums were not originally established to serve as concert halls or theaters or meeting-places for organized groups. They were established to collect, preserve, exhibit and interpret objects of art or history or science. These remain their basic functions. Nevertheless, many museums now also serve as concert halls or theaters or meeting-places for various organized groups.

Especially is it true that museums have become homes for the performing arts. Near-

¹ Laurence Vail Coleman, *The Museum in America*, American Association of Museums, 1939.

² *A Statistical Survey of Museums in the United States and Canada*, American Association of Museums, 1965.

³ *Ibid.*

⁴ See Appendix for details.

⁵ "A Preliminary Report on Attendance Figures for Formally Organized Education Programs in Museums of the United States," American Association of Museums, 1962.

ly all large art museums, and apparently more than half of the smaller ones, sponsor or offer their facilities for musical programs, drama, ballet and dance performances.⁶

Museum professionals do not all agree that this trend is a good thing. Some fear that the basic mission of a museum may ultimately be lost sight of in the bright lights of the performing arts. A more subtle danger, it is sometimes suggested, is that the popularity of the performing arts may induce museums to prefer popularity to enduring quality in the works of art they exhibit.

The reasons for cooperation with the performing arts, however, appear to have outweighed fear of the consequences. Museum directors find that opening their institutions to musical and theatrical performances produces broader public support of museums. There is also the belief that museums, as cultural institutions, have an obligation to cooperate with other cultural institutions in reaching as many people as possible, and that this can be done without sacrificing high artistic standards. Finally, it is contended, the arts should support and reinforce one another.

If a museum is a community institution, there is logic in the community using its space and facilities for a variety of cultural and educational purposes, particularly when other space may not be readily available or suitable. But museum trustees and directors cannot ignore the fact that such service to the community costs money for heat and light and guards for which the museum is seldom compensated. And, in some instances, providing these services will divert funds from the basic functions of the museum.

Why attendance has increased

The dramatic increase in museum attendance is accounted for in part, but only in part, by the increase in population. Urbanization is also a major factor. The change in age distribution of the population may be even more significant. A higher proportion of the total population is in the younger age groups than ever before. Our crowded schools suggest as much. By 1970, the Population Reference Bureau estimates, half the U.S. population will be below the age of 26.

The population changes could not have been major factors, however, in the absence of certain other influences. One of these is mobility, a familiar American phenomenon. A majority of the U.S. population is less than an hour's drive away from a major museum. Apparently more and more of the population each year are making that drive.

Museum attendance has also risen because more people are more prosperous than ever before, and more have leisure time with which to investigate the cultural and educational possibilities of museums. For their part, museums offer more interesting exhibits than they used to. A good many people have discovered that a museum is a lively place.

It is probably true that some part of total museum attendance is accounted for by idle curiosity, or by the desire to get the children out from under foot. Anyone who has closely observed museum crowds lately, however, will not be persuaded that these motives predominate.

The more likely explanation is that more people go to museums today because more people than ever before have discovered that the arts and sciences which museums exist to serve are both important and exciting. Some may go to a museum for delight, some for enlightenment. The result in either case is pleasure, the more so since one visits a museum freely, under no compulsion, free to enjoy or to learn at one's own pace. The average American, given an opportunity, apparently has a desire to improve the quality

of his life, and museums give him that opportunity.

So far as can be foreseen, all the factors responsible for recent increases in museum attendance may be expected to continue to operate. The population is continuing to increase, urbanization shows no signs of declining, mobility is almost certain to increase, widespread prosperity is a reasonable prospect, and more people will have more leisure time than ever in the nation's history. The demands on museums, in other words, seem destined to grow.

3. THE PRESENT CONDITION OF MUSEUMS

What has happened to museum budgets in the past ten years throws light on the present condition—and problems—of America's museums. A sampling of the operating expenses (which excludes the cost of acquisitions) of small-, medium- and large-size museums shows that all have risen sharply and that annual deficits are routine.¹

For several museums in the sample, operating expenses more than doubled in 10 years, and in one extreme case they increased ninefold. Although figures are not available to show exactly how much the operating expenses of all American museums rose between 1957 and 1967, it is safe to assume that in most instances the rise was substantial.

The experience of a major science museum in a large Eastern city is revealing. In fiscal 1957 its attendance was 314,591, its operating expenses \$356,953. In fiscal 1967 attendance totaled 526,941, expenses came to \$1,049,100. The cost per visitor during the decade rose from \$1.13 to \$1.99.

The operating cost per museum employee, during the same period, rose from \$5,852 a year to \$8,742 a year. As officials of this museum look ahead, they estimate that in fiscal 1976 their operating expenses will be close to \$1,700,000 or about 70 per cent higher than at present. Capital expenditures will be in addition to operating expenditures.

Why operating expenses go up

Increased attendance has been a major factor in raising operating costs in museums. More visitors require more guards, more guides, more professional and administrative staff, more expenditures on maintaining and rehabilitating buildings, exhibits and equipment.

Staff salaries, at the same time, have had to increase in order to hold experienced employees and attract new ones in the face of competition from other institutions, private and public. Salaries absorb between 70 and 80 per cent of the operating budget in major museums. This doesn't leave much for other costs of operation. It doesn't leave nearly enough, in the judgment of most museum directors, for efficient operation. Nevertheless, judging by recent experience, operating costs in major museums can be expected to increase at a rate of at least three per cent a year.

Theft and vandalism are serious problems, especially for art museums in large cities. Most museums need more and better trained guards to protect irreplaceable objects. As it is, according to a 1966 study by the American Association of Museums, a large history museum has to spend as much as \$230,000 annually just for routine operating expenses—guards, building maintenance, repairs and utilities. In a large art museum these expenses now exceed a million dollars a year.

One other operating expense deserves special mention. In a time of inflation like the present, the price of a painting may double almost overnight. Art museums, to their sorrow, find that as a result the value of their paintings for purposes of insurance may also double almost overnight.

To some extent the museums themselves have invited higher costs by devising new and

more attractive exhibits and by offering numerous new services, especially educational programs.

New exhibits and new services attract larger attendance, not surprisingly. The alternative, however, is hardly acceptable.

Sources of funds

Most museums rely on a combination of private and public funds. In a recent study by the Boston Museum of Science on the fiscal situation of 29 major science museums, 10 of them have annual budgets of more than a million dollars apiece, it was shown that private sources, account for about 60 per cent of the total income of these museums, public sources for roughly 40 per cent. Public sources are largely municipal, county, or State governments. Private sources include gifts and income from endowment and trust funds, often supplemented by receipts from museum activities.

Of these 29 museums, 5 have no public funds, 14 receive more private than public funds, and only 3 operate without private funds. In 6 instances private funds provide more than a million dollars toward the museum's budget.

There is such wide variation in museums' sources of funds, and in the extent of local public and private support, that generalizations are difficult. It is feared by some directors that private sources of income for museums may be drying up. Whether or not this is generally true, the fact that sources of funds are private is no guarantee of fiscal health.

Inflation has seriously reduced the spending power of endowments which when made seemed ample for all time to come. The president of the Toledo Museum of Art noted earlier this year that the assets left to the Museum by its founder 87 years ago paid 27 per cent of the operating expenses in 1965 but only 17 per cent in 1967.

Nor are prospects bright for museums which rely on municipal, county or State funds. In the pressure on municipal budgets to meet critical urban needs, museums tend to rank low in urgency.

For example, one of the outstanding art museums in the country has to rely on municipal appropriations for most of its operating funds. In only one year from 1963 to date has the city appropriated for operating expenses the amount requested by the museum, and at no time has the city met the museum's request for payroll funds, which are allocated separately from other operating funds. The trend, in fact, has been sharply downward. In fiscal 1963 the museum requested \$271,524 and received \$237,786. But thereafter the margin between needs and funds widened until in fiscal 1967 the museum's request for \$648,876 was met with an appropriation of \$448,691. Yet attendance at this museum in 1967 was about double that of 1963.

The experience of this art museum is a common one today. One attempted solution is to increase museum income from sales of publications, fees for special services, and from increased membership. As a rule though, these activities yield only a small proportion of museum income.

Another solution sometimes attempted is to charge admission to the museum. A survey conducted by the American Association of Museums showed that in 1962 only 179 of 2,021 museums surveyed, or 8.8 per cent, received as much as half their operating income from admissions. In fact, only 495 institutions (24.5 per cent) reported receiving any admission income at all.

Most museums adhere to the tradition of free admission. They do so because many of them receive governmental support—municipal, county, State, only occasionally Federal. Just as public libraries have traditionally offered service free to the community, so have most museums.

It is sometimes suggested that by charging

⁶ William J. Gravesmill, "Museums and the Performing Arts," Museum News, January, 1967.

¹ See Appendix for details.

admission fees or increasing other fees, museums could remove or at least ease their financial distress. Any such action, however, would tend to exclude those individuals who most need the cultural and intellectual stimulus that museums are uniquely equipped to provide. Citizens of the inner city are only now beginning to use museums. It would be unfortunate indeed if the imposition of admission fees were allowed to reverse this trend. Conclusive evidence is lacking, however, and studies are suggested.

The staff problem

The testimony of museum directors is overwhelming that all museums are understaffed, that staffs in most museums are underpaid, and that in smaller museums, especially, many staff members are inadequately trained.

A leading science museum, for example, in its 75 years of existence has grown to the point where it has a full-time staff of 300 to care for collections numbering more than 10 million specimens and an exhibit area of nearly half a million square feet. During the past quarter of a century the collections have more than quadrupled in size, but the staff has changed very little in size. Staff salaries, nevertheless, have so increased that whereas in 1940 they absorbed 40 per cent of operating costs, and in 1950—61 per cent, in 1968 they absorbed about 78 per cent.

Even so, salaries of curators in this museum are about 10 to 35 per cent below the salaries of professors in the universities in the area. Yet museum curators and college professors in the same disciplines have, and are required to have, equivalent training and experience.

While it is logical to compare museum curators and university professors, salaries of the two groups are rarely comparable. According to the American Association of University Professors, the average compensation scale in 1968 for a full professor in a top-flight university should be \$27,000, and the minimum compensation scale should be \$18,180 a year. Actually, it is rare to find a museum able to pay a curator as much as the minimum recommended by the AAUP. In most museums—even the largest—the top salary of curators is often below the minimum salary of university professors in the same discipline.

This is a major reason why most museums are understaffed yet have difficulty in many cases in recruiting additional staff, as the "Positions Open" column of *Museum News* testified.

In issues of this publication from January, 1967, through February, 1968, museums list their needs for directors, assistant directors, curators and assistant curators, educational department heads, museum technicians. Many of the positions require a Ph.D. Many state as a prerequisite several years of experience in museum work. Salaries offered, however, are low in comparison with college and university salaries—a top of \$14,000 for a director, but with most offers much lower, a top of \$12,000 for a curator, with most openings paying much less.

Museum salaries in even the top positions, in other words, are hardly an enticement to a young college graduate choosing a career. A position on a university faculty probably seems preferable.

In addition, in educational circles there is thought to be more prestige in a university than in a museum job. It is also a consideration for graduates interested in research that in understaffed museums curators have so many responsibilities that they have little time for research.

The understaffing endemic in museums concerns not only the top positions. Museums also need more technicians, administrative personnel, secretaries, building maintenance personnel and guards than they now have. The jobs are there, but in most instances the competitive salaries are not.

The lack of adequate staff has specific consequences. It may mean, as it does in a large natural history museum, that the available staff can provide service to only one of every five school groups visiting the museum. Or that busloads of school children have to be turned away because no more guides are available. It may mean—as it has—that an art museum must decline to cooperate with a television station because the existing museum staff could not add to its load the burden of preparing a series of 65 half-hour shows.

There are also long-range consequences of understaffing, less apparent but perhaps more serious. When a museum's staff has more than it can do, research tends to suffer, the documentation of important collections is necessarily neglected and the conservation of invaluable objects gets minimum or no attention. Whenever this happens, the value of the museum is reduced and its future as an educational and cultural institution jeopardized.

The security of a museum's collection requires a force of well-trained, adequately-paid guards and supervisors. When salaries are not enough to keep the force of guards up to strength, security becomes a gamble. The solution, as far as the museum is concerned, lies in more guards and more protective measures, all of which require funds which most museums do not have.

The staffing problem is serious enough in large museums, where 50 professional employees and as many as 600 employees of all categories may be required, but in medium-size and small museums the problem is often desperate. Again, salary is a major factor. Additionally, administrative and maintenance chores severely limit the opportunity of the professional employees to do professional work. In a small museum, it has been observed, a curator must not only have the equivalent of a Ph. D. in his field, he must also be prepared to use a hammer and nails.

The degree of understaffing varies widely among museums. At one extreme is a small history museum in the Midwest with a total budget of \$9,000 a year, provided locally. The staff consists of one full-time person serving as director, curator, guide, lecturer, exhibit technician, building superintendent and janitor. Part-time help in the tourist season, and volunteers, make it possible for the museum to function, after a fashion. How long it can continue is in some doubt.

A medium-size art museum in the South, though not in as desperate a situation as the small history museum just mentioned, has a staff problem desperate enough. It is financed largely by city funds. Its current minimum needs for additional staff are for an assistant director, a curator, an education director, a trained librarian and trained guards. The salary standards of the city government are so low that the director says it is impossible to get properly trained people for jobs in the museum. He estimates that to solve his staffing problem would require a 50 per cent increase in the city's appropriation for the museum.

Competitive salaries are a major but not the sole answer to the staffing situation in museums. The museums have the problem of interesting competent people in museum careers and then training them for these careers. It is only in recent years that a start has been made in providing training programs, whether in museums or in universities in collaboration with museums. If the staffing needs of museums are to be met, a very substantial expansion of training programs will be essential, as will an expansion of the present limited number of fellowships.

The National Endowment for the Humanities is already active in this field with its Museum Fellowship Program. It is the purpose of this program to attract and interest graduate students in pursuing professional

careers in museum and historical society work, and to encourage museums and historical societies to increase their activity in graduate study curriculum.

Universities having an affiliation with an established teaching museum are selected by an advisory and screening committee to receive a grant for administration of fellowships at their institutions. The sum includes a monthly stipend, an allowance for travel and support of dependents, and a cost-of-education grant if tuition is not waived for the fellows. The candidates apply directly to the participating universities.

This year's participating universities and their affiliated museums are: The University of Delaware (Hagley Museum), the University of Delaware (Winterthur Museum), State University College, Oneonta, New York (Cooperstown Museums), and the George Washington University (Smithsonian Institution).

Museum facilities

Museum buildings designed and built within the past twenty years are a considerable improvement over older buildings. They provide better facilities for collections and exhibitions, and they are so arranged as to serve both the special needs of research and the needs of the general public. Few museums, however, occupy such buildings. Most date back to before World War II, and a sizable number antedates the Twentieth Century. Moreover, more than half of America's museums are housed in buildings not originally planned for museum use.

Investigation by the American Association of Museums² has disclosed that of the museums housed in physical plants designed specifically for their use, 49 have buildings constructed before 1900; 75 are in buildings completed during the years 1901-1920; 223 institutional plants date from 1921-1940; 174 from 1941-1960; and 68 have been built since 1961.

The need for rehabilitation or replacement of existing structures is so great that it could not be met in a year or two. The cost of a crash program would be prohibitive. The best that can be expected is a gradual, long-term program.

The example of one museum which has carefully examined its capital improvement needs may illuminate the problem confronting a majority of America's museums. This is a large natural history museum, one of the five largest in the country. Its building is 47 years old. Its total area covers about 800,000 square feet, of which 437,000 square feet are exhibit area.

The electrical system in this museum's building is obsolete in design and inadequate in capacity. For reasons of safety, if for no other reasons, a completely new electrical system is required. It will cost in excess of \$1,240,000.

Most of the museum's area is without fire detection and prevention equipment. To provide this will cost about \$210,000.

The museum's ventilation system is obsolete. It is impossible at present to provide proper temperature, ventilation, filtering and humidity for priceless collections and exhibits, not to mention employees and visitors. An adequate air conditioning system is estimated to cost about \$2,500,000.

The floor of the museum building has settled by almost a foot. To stabilize it will cost about \$200,000.

Escalators and a new passenger elevator are to cost about \$275,000. New lounge and toilet areas for the increased attendance will cost about \$250,000. Because the noise level

² *Report on Museum Facilities, 1966*. Contributed by the American Association of Museums to the Study of State and Local Facility Needs and Financing, prepared by the Subcommittee on Economic Progress of the Joint Economic Committee, Congress of the United States.

in some of the most popular exhibit areas is uncomfortably high, acoustical treatment is recommended, at a cost of about \$200,000.

This museum's ten acres of exhibits, the trustees and director have decided, need overhauling and upgrading. Many have not been changed for decades. It is proposed to upgrade them over a period of ten years, using new and modern techniques, at a cost of approximately \$200,000 a year.

All told, including other capital improvements not listed above, an expenditure of about \$11,500,000 is required by this museum over the next decade. Operating expenses have risen so much, however, that it was not possible in the 1968 budget to allocate any funds at all for plant expansion or improvement.

The overwhelming majority of American museums occupy facilities which need either rehabilitation or replacement. The 1966 study by the American Association of Museums pointed out that of the 689 museums sharing quarters with other institutions, 138 would need new quarters within the next ten years. Of the 1,053 museums housed in buildings not constructed for museum use, perhaps 60 per cent, or 630 institutions, would need new construction within the next ten years to house and exhibit their collections for the public adequately. And, assuming the effective life of a public building to be about fifty years, another 124 museums would need either to remodel or replace their buildings within the next two or three years.

A conservative conclusion is that the present condition of most museum buildings and facilities is so unsatisfactory that the institutions cannot serve the public or perform their cultural and educational functions adequately. A very large program of capital improvements is indicated.

But it is not safe to assume that a museum built in 1968 according to the most modern and approved design will meet the needs of 1988 or even 1978. Even today, artists are creating works of art of such size or involving so novel a multi-media approach that the conventional museum is hard put to accommodate them. Similarly, exhibit techniques employed by history and science museums are almost certain to change in time, and in changing require modifications in building design and equipment that may be drastic. The speed and degree of change are unpredictable. The only safe assumption is that the requirements for museum facilities will change as time goes on, and that the requirements for capital improvements will increase.

THE PROBLEM OF QUALITY

In the present condition of America's museums a central problem is how to serve a growing audience while maintaining standards of quality. Some museum professionals doubt that it is possible for an art museum, say, to maintain quality while ministering to a mass audience. Other professionals are convinced that both a mass audience and quality can be served if imagination as well as money is employed.

This report will not attempt to resolve this large question. What is indisputable is that growing attendance at museums has compelled museum officials to look with a critical eye at their performance, to admit to shortcomings and to search for better ways of accomplishing the mission of their museums. There is probably more of this going on in the museum world today than ever before.

For example: directors of history museums report that the quality of exhibits in hundreds of history museums is inferior, unimaginative, unattractive. Directors of science museums are dissatisfied with forty-year-old dioramas, with excessive reliance on static exhibits, with exhibits that inform but fail to interpret. Directors of art museums—some, though not all—wonder if museums

shouldn't do more than they now do to provide enlightenment as well as delight.

This self-criticism has produced results. They are to be seen in those history and science museums which have enlivened static exhibits and experimented with audience-participation devices. The reasoning is that exhibits which involve action, particularly participative action by the viewer, are much more likely than static exhibits to stimulate the learning process.

It is very much a time of experiment in exhibit techniques and in relations with schools. New types of science museums see their principal purpose as science education in close collaboration with the school system, though not to the exclusion of the adult general public. The emphasis is on manipulative exhibits and audio-visual techniques designed to teach science, and, in the case of the Pacific Science Center, to give special attention to the teaching of mathematics.

The Peabody Museum of Natural History at Yale is experimenting with an electronic message system designed to combine sound with sight. The visitor, wearing a light, comfortable wireless headset, may stand before the diorama of the Sonora Desert and hear the call of the roadrunner, the snuffling grunt of the peccary and the whirring of the rattlesnake. The observer both sees and hears the exhibit. His questions are answered far better than by the usual brief display placards.

It was in the current mood of self-examination that the director of a history museum recently said he was not all sure that history museums were doing what they should be doing. He expressed doubt, for example, about whether existing techniques of portraying so important an event as the American struggle for independence were effective.

Among directors of art museums there is a good deal of ferment, and some controversy, over the degree to which an art museum should become involved in the life of its community. The question arises most acutely in big cities with their present surplus of social and economic problems. Some directors fear that involvement in urban problems and interests outside the walls of the museum will end in sacrificing artistic standards without helping to solve any urban problems. Other directors—perhaps the majority—contend that an art museum cannot ignore the urgent problems of the day any more than contemporary artists can. It is in keeping with this trend that the Metropolitan Museum of Art planned the exhibition entitled "Harlem on My Mind," described as a history of the Harlem culture.

Much of the current self-criticism by museum professionals has arisen because they are searching for answers to questions they have never found it necessary to worry about until now. There are such questions as these: What and who is the audience the museums should serve? Why do people come to museums? What do they hope to get? What do they, in fact, get from their visits? What are the attention-spans of museum visitors of different ages?

To these and dozens of other questions about audience motivation and behavior museum officials today have few satisfactory answers. It is a field in which museum officials have done little research. Until recently, it hadn't seemed urgent. Now it does. It seems urgent because the measure of a museum's performance is not only the size of its audience but its impact on that audience.

The growth of museum audiences is a mixed blessing. Weekend crowds in major art museums sometimes make it difficult for individual viewers even to see the painting they want to see, let alone give it concentrated study. One solution attempted by some museums is to add to the viewing time by staying open evenings, though the cost in a large museum may exceed \$1,000 an

evening for guards and utilities. Whether there are better solutions is not at all clear.

The problems of small museums

Measured by attendance, or budget, or exhibit area, the overwhelming majority of American museums are small. If we use as an arbitrary yard-stick an annual attendance of less than 25,000 or a budget of less than \$50,000, well over half of the nation's 6,000 museums qualify as small.

This is a measurement of size, not of value. There is no good way to measure the value of a museum to its community, or the aggregate value of all small museums to the nation. What can be said is that if a museum which has enriched the life of a community closes its doors, the community is poorer and so is the nation.

Some art museums, though tiny in comparison with those in metropolitan centers, exhibit paintings of great significance. Some small natural history museums possess collections of importance to science as well as to the community. Museums of local historical societies in many instances own and exhibit objects of American history of significance both locally and nationally. In urban centers, small, specialized museums pay tribute to the heritage and culture of the several ethnic and racial groups in the nation.

There is one common denominator which applies to most small museums: the budget is inadequate. As a result, the museum is understaffed and the staff is often untrained, the buildings are inadequate and the museum is unable to perform its basic functions properly or meet minimum standards. This generalization does not, of course, fit the case of all small museums, but it does apply to hundreds of them.

Museum professionals subscribe to the statement made in the preface to "The Management of Small History Museums," a booklet published in 1959 by the American Association for State and Local History. In part, the preface declares:

Too many small history museums still belle the name of museum. Many are little more than depositories of historical objects. Their collections are not adequately catalogued or are not catalogued at all. Their methods of preservation do credit to attic storehouses. Their exhibits are little more than organized confusion. Too often they are proud to own relics that are meaningful only to them and a small body of associates. Articles are exhibited because of their sentimental value to the few or to donors, not because they illumine the human processes of the past.

Behind this severe indictment is the conviction that small history museums have a great potential for portraying the American past, but a potential that in too many cases has not been realized.

Too often a museum established in a burst of local pride and enthusiasm found that more than those assets were required. A staff of one or two is not large enough to operate a museum satisfactorily. Volunteer help, invaluable as it is in museums, cannot be expected to perform jobs that require professional training in exhibiting, preserving and interpreting historic objects. An abandoned store or warehouse may house a museum as a temporary though inadequate makeshift, but if the makeshift continues very long, and after its inadequacies make effective museum operation impossible, it suggests that the community puts a low value on the museum—lower, for example, than it does on its well-housed schools.

Still, small museums continue to operate, regardless of their problems. They continue because they meet a need that no other community institution does.

For a case in point, the director of a history museum in a small county-seat in the Midwest sums up as follows. 'Our visitor

count runs between 15,000 and 20,000 and probably half of these are children. In the summer, migrant workers—Mexicans and Southern poor whites—come in pretty large numbers. We have school dropouts, delinquents and semi-delinquents, leather-jacket characters, the slow-learners and the really retarded, all degrees of the underprivileged. . . . Among the high school graduates who go on to college, many come back to tell me how valuable they had found the things they learned in our little museum. . . . They seem to need the reassurance of continuity, of seeing something that has withstood time and change, and in some degree our museum can provide that.

"Boys from around the 4th to 6th grades will spend hours in here looking and asking questions. Even high school sophomores visit the museum, though they are usually considered the most obnoxious show-offs and know-it-alls. Perhaps they are just avid for information, or perhaps it is a need for reassurance. . . ."

The central problem of the small museum is obviously lack of money. Typically, town and county governments provide some of its income, memberships in the local society sponsoring the museum provide some, and the remainder comes from sale to visitors or voluntary contributions from them. Rarely is the total enough. The possibilities for increase from local sources are not good. The last decade has seen increasing pressure on local governments to meet a wide range of demands for services. Probably the source least likely to provide more proportionately than it now does is local government.

This is not to suggest that the future of the small museum is hopeless. The museum world as a whole is trying to come to the rescue. Large art museums, with financial encouragement from the National Endowment for the Arts, are working on ways to finance loans of exhibitions to small art museums. The American Association of Museums is especially active in their behalf. Expert assistance in exhibit techniques and in museum management is being provided in at least some instances by State arts councils. The problem of preserving paintings and historical objects in small as well as in large museums is recognized, if not yet resolved. Traveling exhibits from large museums to small ones can help, provided the small museum has the staff and means to handle them.

Some small museums make the mistake of trying to do on a small scale what big city museums do. A small art museum cannot hope to collect a wide range of works of art. It can, however, specialize in contemporary and local art, and encourage local artists. Small history or science museums cannot do what major museums in those categories do. They can, though, get help from major museums in learning how to exhibit and interpret those local collections which have value.

The financial problem of the small museum is bigger, in one sense, than that of the large urban museum, in that it has fewer sources of financial support and such sources as it has have a more limited potential. But to the extent that small museums fill both a local and a national need, a combination of local and national support could be the answer to their financial problem.

4. THE CASE FOR FEDERAL SUPPORT

The grounds on which museums base their request to the Federal Government for support may be summarized as follows:

(1) Museums contribute educational and cultural services to the nation which no other institutions either do or can.

(2) The service provided by a number of museums is nationwide, but the funds which

make this possible are disproportionately local.

(3) Though museums cooperate with Federal agencies in furthering Federal programs—the anti-poverty programs, for example—they do not receive appropriate Federal reimbursement for this service.

(4) Museums regularly make their resources available to schools, colleges, universities and individual scholars for research financed by the Federal Government. No Federal support is available, however, to help museums meet the costs incidental to such services.

(5) The collections, facilities and staffs of museums produce research of unquestioned value to the nation. Increased Federal support for this research is in the national interest.

(6) Taken as a whole, the works of art, historic objects and scientific specimens in America's museums constitute a treasure of incalculable value to the people of the United States and to their posterity. The Federal Government has a responsibility to assist in preserving, maintaining and wisely utilizing this treasure on behalf of all the American people. Once lost, the treasure can never be replaced.

This report does not suggest that the Federal Government, either today or in the future, is required to assume dominant responsibility for the financial support of America's museums. The report does suggest that the time has come for the Federal Government to assume a partnership role.

A problem of definition

From their inception, American museums have had an educational as well as a cultural mission. In recent years museums have devoted more and more of their resources to their educational responsibilities, as earlier sections of this report have shown. In view of this record, museum trustees and directors tended to take it for granted that everybody knew museums were educational institutions. One purpose of this report is to remind the Federal Government that museums are, in fact, educational institutions.

It is true that museums do many things which schools do not do, and which do not meet a conventional definition of education. Collecting and preserving Rembrandts or historic objects or insect specimens is not what a school usually does or can do. Unless some institution does this, however, our educational system will be handicapped in fulfilling its function.

There is the implication that because museums do not grant degrees or diplomas, they cannot be treated as educational institutions. What this implication overlooks is that if there were no museums, colleges and universities would be unable to grant degrees in several fields.

It is true that not everybody goes to a museum for educational purposes. Some go simply in search of diversion. Nevertheless, many who go to museums for diversion, stay to learn. A museum program or exhibit is often the one thing that will catch the interest of a child—or an adult—and ignite the learning process after traditional approaches have failed.

But because museums are not defined by the Federal Government as educational institutions, they are denied certain tax concessions and foreclosed from certain Federal grants provided generally to educational institutions.

Inequities in tax concessions

Though recent changes in the regulations of the Internal Revenue Service have reduced the extent of tax discrimination against museums, some discrimination remains. For Federal income tax purposes, an individual taxpayer is allowed a deduction

from his adjusted gross income for contributions to, or for the use of, a charitable, religious, educational, public or scientific organization or to the United States, a State or other governmental unit. The general rule is that an individual taxpayer may deduct such charitable contributions up to 20 per cent of his adjusted gross income. This limitation is increased to 30 per cent if the additional 10 per cent consists of contributions to a church or association of churches, a tax-exempt, educational organization, or an exempt hospital. The extra 10 per cent deduction may also include contributions to any organization to which the basic 20 per cent limitation applies if the organization normally receives a substantial part of its support from the general public or from a governmental unit. An organization will be considered to be one which normally receives a substantial part of its support from donations from a governmental unit, from contributions made directly or indirectly by the general public, or from donations which are a combination of such sources if such organization received one-third or more of its support from such sources for each of three of its last four taxable years ending prior to July 1, 1964.

For the purpose of the additional 10 per cent deduction, an educational organization is defined as one which has a faculty, a regular body of students and a regular course of study. Thus, the added 10 per cent for contributions to educational organizations would not generally apply to contributions to museums. In general, therefore, if a museum is not governmentally supported, contributions to it would not enable a taxpayer to reach the 30 per cent level unless a showing could be made with respect to general public support for the museum. A number of museums cannot do this.

There are other, more specialized, provisions in the income tax law which favor schools, colleges and universities over museums. One provision of importance to many museums affects taxpayers who set up trusts under which, for at least two years, the income from the trust is to be paid to a church, hospital or "educational organization." The taxpayer in such cases will receive a charitable contribution deduction for the present value of the gift of the income and is not subject to tax on any of that income. The result is that all income of the trust goes to the beneficiary without reduction for Federal income tax, and the donor pays a reduced tax on his other income by virtue of the charitable deduction. To date, however, this tax concession is not applied to gifts to museums.

Regulations governing excise taxes, in some respects, also tend to favor schools, colleges and universities over museums.

Inequalities in Federal grants

Exemptions provided for "educational organizations" affect Federal appropriations as well as tax concessions. Because the educational status of museums is in question, Federal agencies are limited, under existing law, in allocating funds to museums. The National Science Foundation, for instance, which is actively supporting museum research, has not felt free to treat museums as on a par with schools, colleges and universities. Museums, in the eyes of the statutes, are second-class educational organizations.

Federal programs which do not permit direct grant support to museums include those administered under all, or most, titles of the Higher Education Facilities Act, Higher Education Act, Elementary and Secondary Education Act, Educational Professions Development Act, National Defense Education Act, Library Services and Construction Act, and Federal Property and Administrative Serv-

ices Act. It is recognized that museums are able to receive Federal funds for services rendered. For example, "developing institutions" undertaking programs under Title III, National Education Act, could enter into financial arrangements with nearby museums to furnish a wide variety of services which would strengthen the colleges' offerings and at the same time provide some support to museums. Similarly, a museum could also participate in a typical college work-study program authorized under Title IV, Part C of HEA. Under this provision, museums may be reimbursed for their cooperation, with Federal funds providing 90 per cent and the institution contributing 10 per cent of the costs.

The point which seems to have escaped the Federal Government is that while museums are not schools or colleges and do not presume to substitute for them, they provide an educational supplement which is not only essential but unique. People go to a library for books, but they go to museums to see at first hand those objects of art, history or science which books describe. It is the opportunity in a museum to see the original evidence of art, history and science that both makes it unique and establishes it as an educational institution.

It is also of practical significance to the Federal Government that museums number their visitors in the hundreds of millions and serve these visitors with more flexibility and imagination than is possible within a school system whose size and whose policies make flexible and imagination difficult. Given the financial resources, museums could serve even larger audiences, and in ways no other educational instruction can.

Local institutions, national problems

Former Mayor McKeldin of Baltimore has remarked on the urban problem of raising revenue at a time when city people are moving out to the suburbs, outside the city's tax jurisdiction. As Mr. McKeldin put it, these former city dwellers "work in the city, but they sleep, vote and pay taxes outside." The ex-urbanites come back to the city for intellectual and cultural stimulus—museums, theaters, concert halls.

Mr. McKeldin points out that Baltimore, a city of about a million, is expected to provide cultural enrichment for a metropolitan area of about 2 million, although only half of that number pay taxes to Baltimore, and that half includes the lowest income groups in the metropolitan area. Yet without strong support of its cultural life, the city must inevitably lose its character until in time, in the opinion of Mr. McKeldin, it will be nothing worth calling a city, but more like a concentration camp from which the inmates' one desire is to escape.

This problem of municipal overburden isn't limited to the suburbs immediately surrounding Baltimore or any other large city. The problem crosses state lines. Big-city museums attract people from all parts of this country, and from overseas as well. There is no geographical limit to a museum's audience in this day of a mobile population.

In San Francisco, for example, the California Academy of Science has discovered that only 20 per cent of its visitors come from the metropolitan area; 80 per cent come from areas which provide no tax support to it. The same thing is true of other large museums in urban centers, and also of smaller museums which have collections and exhibits of wide interest.

The problem of providing nationwide service on local budgets is peculiarly acute for museums which emphasize research. It so happens, for instance, that of the hundreds of natural history museums (a category which includes botanical gardens), about 25 of them maintain most of the systematic biological collections of the United States. These collections are used by scientists from

every State in the Union and from many foreign lands. The collections are indispensable to research and also for training graduate students to be scientists.

Most of the funds of these 25 museums, however, are provided locally. They cannot continue to provide nationwide service indefinitely out of local funds. Accordingly, the National Science Foundation is financing a study to evaluate the needs of these museums and their contribution to research. The problem is to find a way for the Federal Government to come to the assistance of such museums both in their interest and in that of the Government itself.

Not only science museums but art and history museums also provide nationwide service on local budgets. Unfortunately, the Federal Government has been slow to realize this. Only in a few instances have Federal funds been allocated for art and history museums, and as yet not on a scale commensurate with the nationwide services these museums perform.

To reach more people

Massive as museum attendance has become, it remains true that millions of Americans do not have easy access to a museum. Large areas of the United States are without museums. In urban centers it is doubtful if museums reach a majority of the urban population.

One solution is to establish more museums. This is taking place, where and when funds are available. It is an expensive solution, however, and an incomplete answer to the problem.

A second solution is to create small branch museums, especially in urban centers, in unused buildings in low-income areas.

A third way by which museums can reach more people is through the traveling exhibit. The demand for such exhibits far exceeds the supply. One limiting factor is the fiscal one.

Another limiting factor, in the field of art, is that valuable paintings cannot be moved about haphazardly, or inexpensively, or to places not equipped to take care of them properly.

Science, history and technology exhibits, however, can be adapted to travel with less risk. When more funds are available, there can be more such traveling exhibits.

A fourth way to reach more people is through television. A few museums provide TV shows now in cooperation with TV stations in the National Educational Network, and more would like to do so, if funds were available for the facilities and special staff needed.

A new development known as EVR (Electronic Video Recording) may make possible a dramatic increase in the ability of museums to reach more people, and at less cost than by the usual TV show. EVR will provide reels of film with color and sound for use in homes and schools. The playback equipment, attached to a regular TV set, is scheduled to cost under \$300, and a 7-inch reel of film offering a half-hour show will range in cost from \$7 to \$14.

The possibilities of EVR for museums are obvious. Art exhibitions, accompanied by interpretation by experts, may by EVR travel to any school or library or community building equipped with a TV set and playback attachments. Small museums on limited budgets and with limited space for exhibits could then, through EVR, show a succession of exhibitions from the large museums. This new development cannot substitute for seeing the original evidence in the museum—the painting or historic object or scientific specimen—but it may provide the next best thing, and at relatively low cost.

Museums and tourism

This year, because of the crisis in the United States balance of payments, the Federal Government has a special interest in the

attraction that America's museums hold for tourists. To the extent that museums induce more Americans to do their touring at home rather than abroad, and induce more people from overseas to do their touring in the United States, they help to reduce the deficit in the balance of payments.

It is well known that museums attract tourists and in some instances provide the main reason for travel. Small museums, far from the beaten track, report substantial increases in attendance during the tourism season. Large museums in urban centers attract tourists throughout the year.

The Chicago Association of Commerce, for economic reasons, has surveyed visitors to learn where they spend their time while in Chicago. The survey covered the period of a year and found that while 20 per cent of the visitors gave preference to sports events, 72 per cent put museums at the head of the list. The businessmen who run the Association of Commerce conclude that the city's museums constitute a major economic asset for Chicago.

We are not accustomed to think of a museum as having economic value to a city or to the nation. Museums are not established for this purpose. They develop economic value almost in spite of themselves. It becomes evident when business executives discover—as they have—that a city with good museums is a better place for them and their employees to live in than a city without adequate museums. But the economic value of museums is most apparent in their contribution to tourism, which turns museums into a factor of considerable importance in the economic health of a city and of the nation, inasmuch as tourism involves the expenditure of billions of dollars each year in the United States.

Museum income

Less than one per cent of the income of America's museums is provided by the Federal Government.¹ For the other 99 per cent, museums rely mainly on private sources and on State and local governments, as figures in Chapter IV of this report attest. Museum trustees and directors are currently putting great emphasis on increasing the flow of money from private sources. They also hope to persuade local governments to increase their allocations. Museum officials recognize and act upon the obligation to obtain most of their funds locally. They are not looking to the Federal Government to bail them out of their present fiscal difficulties. They believe it is reasonable to request, however, that the Federal Government put museums on equal footing with other educational institutions.

A few museums are supported wholly by private funds. They are the exception. Some are financed largely or wholly by States and municipalities. But the vast majority of the 6,000 museums in the United States rely on a mixture of sources—some private funds, some State or local governmental funds, some income from museum memberships, publications, sales desks and fees for special services. At the bottom of the list as sources of museum income are private foundations, business corporations, and the Federal Government.

A large private endowment does not preclude a museum from fiscal trouble. Inflation has so increased costs as to reduce seriously the real income from endowments. Besides, endowment funds are often restricted as to use, and museum directors find it difficult to interest private donors in making gifts to pay for routine operating expenses. It is easier for a museum to obtain a gift to buy a famous painting than to get funds to keep

¹ A Statistical Survey of Museums in the United States and Canada, American Association of Museums, 1965.

the doors open so that the painting can be seen.

Private foundations and business firms have, it is true, substantially increased their contributions recently to colleges and universities. They have yet to do so for museums. Foundations in 1967 limited their contributions to museums to less than 2 per cent of their grants, for a total of \$6,843,000.²

The line between public and private

It is traditional in this country to classify institutions in the cultural-educational-welfare complex as either public or private. The classification has extended to the source of funds as well as to management and control.

In recent years this sharp line between public and private has become blurred. Public institutions now solicit and receive private funds. Institutions privately established and privately endowed now request and receive public funds. Management and control remain what they were, but funds increasingly come from both private and public sectors. Partly this is because government has found it necessary to utilize the sources of private institutions in its own interest; partly it is because private institutions have faced needs which could not be met by private sources alone.

There is every reason to expect this trend in joint public-private financing to continue. Probably it is irreversible. The allocation of public funds to private institutions is accepted as sound government policy in situations where the institutions perform public service.

The trend is shown in the current plans of colleges and universities for capital improvement projects. During the 5-year period ending in 1970, according to an Office of Education survey,³ 856 institutions of higher learning estimate the cost of new construction and rehabilitation (excluding student housing) at about 14 billion dollars. Of the 856 institutions, 323 are public, 533 private.

Both public and private institutions participating in this survey rely upon a combination of public and private fund sources, although the private institutions naturally rely more heavily on private sources. Private gifts and grants, for example, are counted on to supply 12 per cent of the total requirements of the 323 public institutions, but about 61 per cent of the requirements of the 533 private institutions.

As museum officials examine these figures they are impressed by the extent to which reliance upon a combination of fund sources has become an established pattern. So far as museums are concerned, there will continue to be heavy dependence on private sources and on local government sources. It is the third source—the Federal Government—that is the missing link in supporting American museums.

For example, Federal grants for museum buildings and facilities during the period 1957-65 supplied only 0.3 per cent of expenditures for those purposes. By contrast, the colleges and universities referred to above expect Federal grants to finance about 16 per cent of their expenditures for new construction and rehabilitation during the five-year period ending in 1970.

The European Experience

The impression is widespread that cultural institutions in Europe have no serious financial worries because government pays all their bills. So far as museums are concerned, the impression is in error. For one thing, most European museums do not have the funds they need. For another, govern-

ment does not pay their bills. The chief difference between Europe and America in this area is that European governments have long accepted, as a matter of policy, the obligation of government to support cultural institutions. European implementation of this policy has been a different matter.

In Europe, as in America, financial support of museums comes from a variety of sources, some private, some public. Central governments usually provide most of the funds for major museums (the Louvre and the British Museum, for example), but provide little for any others. As in America, local governments often support local museums, and private donors give financial support to both private and public museums. In general, an admission charge is levied by museums on the European continent.

What is lacking in Europe, as in America, is clear recognition by central governments of their financial responsibility toward museums as cultural and educational institutions. The role of government, accepted in theory, has yet to be put into practice in much of Western Europe. The need in America is for the Federal Government not only to recognize its responsibility in theory, but also to put it into practice throughout the nation, which is something Western Europe has never done.

Federal grants to museums

So far, the main interest of the Federal Government in museums has been in their resources for scientific research. The National Science Foundation has long been aware of the scientific potentialities of museums, and has been active in providing research funds. During the two-year period, fiscal 1966-67, it made 214 grants totaling \$8,437,905 to 54 institutions—science museums, botanical gardens, herbariums. Several other Federal agencies—the National Institutes of Health, the Atomic Energy Commission, the Air Force, among others—have also financed research in museums. The Office of Education has shown an increasing interest in museums as resources for educational purposes. Museums have received nearly \$500,000 in the past several years from the Office's Arts and Humanities Program for research and development projects authorized under the Cooperative Research Act. In addition, museums in at least 22 states have been at least partially remunerated for their participation in Title III, ESEA projects.

This Federal interest in museums, however, has been limited in both degree and scope. It has been important to science museums in financing research, but not in financing operating expenses, or, as a rule, their urgent needs for capital improvements. It has left untouched the needs of art museums and history museums altogether.

While the National Endowments for the Arts and the Humanities have shown active concern for the needs of museums and have made a number of grants to them, the funds available have been severely limited. Total allocations to museums by the two Endowments this fiscal year approximate \$500,000.

It is true that the Elementary and Secondary Education Act in theory includes museums, but by law museums may not apply for direct grants under this Act. Instead, the initiative rests with the "local educational agency." The number of museums benefiting by this Act has been relatively small and the amounts allocated have not been enough to make a dent in museum's fiscal problems.

The major needs of America's museums remain to be met, and the role of the Federal Government in meeting them remains to be determined. Concluding sections of this report discuss both of these matters.

The forgotten library

Most large museums and many small ones maintain their own libraries. They are not as conspicuous a part of the museum as the exhibits, and they often escape the notice of the visiting public, but museums could not perform their mission very well without them.

The present conditions of museum libraries reflects the same problems of staff, facilities and budget endemic among museums themselves. Demands on libraries have grown with increased use of museums, often a good deal faster than library budgets have grown. And, unlike many other libraries, those in museums are excluded from the benefits of such Federal legislation as the Library Services and Construction Act.

At least 726 museums maintain libraries, according to the Museums Directory of 1965. In large museums the library may contain more than 100,000 volumes, requiring the services of a sizable staff. The collection often includes slides, films, prints and photographic archives and, in history or historical society museums, many original manuscripts.

The function of museum libraries is to serve both the research needs of the museum staff and visiting scholars, and the interests of the public. Usually the library was developed primarily to serve as a research tool, but public demand has enlarged its mission. Collections of slides and films, for instance, are maintained chiefly for the use of the public, both inside and outside the museum. Schools, especially, make use of visual aids available from museums.

Library collections in museums are attracting wider use in both large and small institutions. Interlibrary loans have increased sharply. These loans go to college and university libraries in most of the 50 states for the use of scholars engaged in scientific research. And demands on museum libraries, large or small, increase when neighboring colleges expand the curriculum or the faculty in subjects in which the museum specializes.

Increasingly, it is realized that both the scope and the needs of museum libraries require re-examination. Most need more staff, including more with training in library science, and higher salaries. In many museums the libraries need better quarters, special funds for acquisition of books and other materials essential in museum research, and environmental controls to protect and preserve library collections.

Museum libraries of the future will be called on to provide services that few of them are equipped to provide today. For example, the Cincinnati Science Center now under construction will include in its library special space and equipment for the viewing, cleaning and inspection of slides and motion pictures, and for viewing materials on video and audio-tapes. With the proliferation of electronic devices for seeing and hearing, the minimum requirements for a museum library will be appreciably higher than they are at present.

5. UNMET NEEDS

The Belmont Conference on Museum Needs, after surveying the critical situation facing museums, agreed that ten needs should have priority. All are urgent and deserve the financial support of the Federal Government.

This request for Federal support is on the understanding—to reiterate—that museums will continue to receive financial support from a variety of local sources, private as well as public. Museum officials intend to solicit increased support from these local sources. They do not assume that Federal funds will either replace existing sources of museum funds or bear most of the burden. They hope, however, that the Federal Government will see the necessity for sharing it.

² *Foundation News*, January 1968, pps. 5, 7.

³ Table 12, *College and University Physical Facilities Series*, Office of Education, U.S. Department of Health, Education and Welfare, 1967.

In the absence of a detailed survey of the financial needs of America's 6,000 museums—something which has never been attempted—this report has sought illustrative data from a small number of museums believed to be representative. Figures given here are therefore in most cases simply a clue to the sums needed.

Nationwide services

The museums under the jurisdiction of the Smithsonian Institution are great national museums, providing nationwide service, supported almost wholly by the Federal Government. But it seems to have escaped notice that every large museum in the United States, and many smaller ones, also provide nationwide service even though they are not called "national."

The kind and degree of nationwide service can be illustrated by example. A nationally known science museum finds that of its total attendance of about 3 million annually, only 20 per cent originates locally, the remainder originating in every State in the Union and in several foreign countries. Since the research resources of this museum are highly valued by scientists, scholars from all parts of the United States and from abroad make use of its collections. The budget of this museum, on the other hand, is provided almost wholly by local sources.

A practical and fair formula for allocating national funds for nationwide service is needed. In the museum mentioned above, it is estimated that approximately 20 per cent of the operating budget of \$1,368,260 is expended directly or indirectly for regional and nationwide service. It is suggested that a reasonable portion of this expenditure for nationwide service be assumed by the Federal Government.

Obviously, the extent to which American museums provide nationwide service varies a great deal. Some provide little or none. Others are indispensable to the maintenance and development of the arts and sciences, and to the educational system of the United States.

A first step in allocating Federal funds might be a determination by each museum of the proportion of its operating budget spent on regional and nationwide services. It would then be reasonable for the Federal Government to provide grants to qualified museums on a matching basis.

It is suggested that initially Federal grants totalling between \$10 million and \$15 million be made available to museums on a matching basis to help them finance regional and nationwide services.

The opportunities for creative and productive use of Federal funds in this area are very great, but the first necessity, whatever the formula adopted is a decision by the Federal Government that it is in the national interest to assume a reasonable share of the cost of the nationwide services performed by America's museums.

Compensation for services provided for the Federal Government

Federal programs for the disadvantaged—Head Start, Widening Horizons, Job Corps, and others—have enlisted the services of museums. Schools and school boards requesting such services, however, have in many instances failed to compensate the museums proportionately. Rather than deny service, the museums have used their own local funds, at the expense of essential museum functions.

Two examples will illustrate the problem. A children's museum with an operating budget of \$140,000 this past year provided services valued at \$65,000 to schools receiving Federal aid. The museum received compensation from the schools in the amount of \$23,000. This left an expenditure of \$42,000 for which the museum was not compensated.

A history museum with an operating budget of \$500,000 during 1967 provided services valued at \$32,000 to schools receiv-

ing Federal aid. The museum was compensated for \$7,000 of its expenditures. The remainder, for which it received no compensation, amounted to \$25,000.

Yet requests from schools and other organizations have increased each year, with the cost of service rising about 15 per cent annually for the past three years.

The children's museum has the facilities to expand service to schools by 50 per cent, but it can only do this as additional funds are made available. The history museum is at the saturation point and must expand its building and facilities if it is to provide service to more schools. Both museums have had to turn down requests for guided tours, programs in schools, field trips and adult education service for lack of funds.

In the large urban museums the number of individuals served in anti-poverty and other Federal programs is of course much larger, and so are the museum's unreimbursed costs.

What has disturbed museum officials quite as much as the cost has been the failure of school authorities, in many areas, to work closely with museums in planning how best to utilize museums in Federal programs. In general the museums have welcomed the Federal programs because they can make accessible to more people the resources museums possess. Museum staffs have great skill and sophistication to offer in interpreting museum holdings to the general public and to schools. The possibilities for collaboration between school and museum, however, have not always been utilized.

It is recognized that State education agencies authorized to receive Federal funds have the power to insure full compensation for services rendered by museums, and that there are requirements, particularly under Title III of the Elementary and Secondary Education Act, to encourage joint planning by schools and museums.

It is urged, therefore, that State education agencies be required to implement the requirements of existing acts in regard to full compensation and effective joint planning.

Museum buildings and facilities

Earlier in this report it was noted that the present conditions of many museum buildings and facilities was such as to require either replacement or extensive rehabilitation.

A major art museum, for example, housed in a handsome building surrounded by a park, to the casual visitor is a vision of elegance and luxury. The director of the museum is more impressed with the building's deficiencies. He lists them as follows: no space for traveling exhibits, or expanding collections, or showing local and regional artists, or study-storage; inadequate office space; no air conditioning (to preserve works of arts) in most of the building; need for renovation in 20 out of 30 galleries; need for outdoor lighting and building changes for security; need for enlarged wing for school and class use; need for new wing for exhibitions with corresponding office, service, storage and work space; need for underground parking space.

For several years no funds have been available to meet any of the needs in this director's list. He has "made do" by sacrificing 18,000 square feet of exhibition area to other uses, and by numerous other improvisations. The result is inefficiency and deteriorating service to the public.

The cost to this museum of making the capital improvements listed would approximate \$4 million. Another major art museum estimates its needs for rehabilitation at \$1.5 million. A children's museum finds it must enlarge its building at a cost of \$200,000. A science museum is in the midst of a 10-year program involving an expenditure of \$19.5 million (all from private sources), of which \$11 million is for plant construction and \$4 million for equipment and exhibits.

A grant total of capital improvements

needed by all museums is not at present available. The capital outlay by American museums during the period of 1957-65 amounted to an average of \$21.54 million per year.¹ This was far below needs.

In question now is the part the Federal Government is to play. During the 1957-65 period grant assistance from the Federal Government accounted for only 9.3 per cent of the capital outlay by museums, all under grants from the National Science Foundation. Private sources provided 70 per cent of the total in this period, local governmental sources 24.7 per cent, municipal bond issues 5 per cent.

If museums from now on spend as much as they should on capital improvements, the total outlay each year would probably be at least double the 1957-65 average, or somewhere in the neighborhood of \$50 million. Private and local governmental sources will, it is assumed, continue to provide a substantial share of the funds needed. Even so, they cannot be counted on for double the sums they now provide. Museums therefore have no recourse but to request the Federal Government to help by making available grants for capital improvement.

It will be recalled that 856 colleges and universities during the five years ending in 1970 expect a capital outlay (excluding student housing) of about \$14 billion, or \$2.8 billion a year (see page 44). It is not here assumed that Federal appropriations to museums for capital outlay should approach in dollar magnitude the grants to colleges and universities. Such grants should, however, be roughly proportionate to the needs, and if made on a matching basis they could serve as an incentive to private donors.

It is therefore suggested that the Federal grants to museums for capital improvements be made on a matching basis for an initial total of between \$15 million and \$25 million.

Museum staffs

When museum salaries can be made competitive with those of comparable institutions, the chronic problem of understaffing will be greatly eased. It will not disappear altogether, however. A contributing factor is a shortage of trained people. The solution, museum professionals agree, is more in-service training for workers now on museum staffs and more museum training opportunities in colleges and universities for prospective museum personnel.

Museums themselves, for lack of funds, have been able to do no more than scratch the surface of this field. Though some 60 museums and universities offer museum training courses, the number of fellowships available is severely limited, as is the size of each stipend. No doubt more fellowships and more adequate stipends would be offered if museum salaries and working conditions were improved.

The Federal Government has involved itself to some extent through grants allocated by the National Endowment for the Humanities and the National Science Foundation. The total Federal involvement to date, however, is very small in relation to the need.

Especially needed are funds for more museum internships and fellowships, and for more joint university-museum training courses.

It is suggested that Federal grants for these purposes initially be within the range of \$1 million to \$2 million annually.

Program research and development

The sharpest criticism of museums today comes from museum professionals. They are aware of the inadequacies in museum performance. Here are some of the inadequacies they believe need intensive research.

Some museum exhibits make no impression on viewers. Why? Time-worn exhibit techniques have lost their usefulness. What techniques should replace them? Museum

¹ Report on Museum Facilities, 1966.

officials do not know with any certainty what visitors expect of a museum or what they actually get, or even—on a simpler, mechanical level—how best to manage visitor traffic within the museum.

And: what practical steps can be taken to enable museums to be of greater use to schools, colleges and universities? Exactly what should be the role of the museum in education? What must urban museums do to adapt to changing relations between central city and suburbs? How can museums best make their resources available to the disadvantaged or to communities remote from them? Is it better to establish branch museums where the disadvantaged live or to make it possible for them to visit existing museums?

These are a few of the practical questions to which museum people need answers if museums are to serve the public adequately and live up to their potential. No one has answers to them today. It should be possible to determine them by systematic, imaginative research. The results would be of value to the public and to museums of every category.

Museum directors queried for the purposes of this report estimate that the cost of such research over a five-year period would be in the neighborhood of \$1 million the first year, rising to \$1.5 million in the third, declining to \$1 million in the fifth year. The support of the Federal Government is requested for this research.

Traveling exhibits

A public library system in a metropolitan center may include as many as 50 branch libraries. Books are put within reach of the total population of the area. This is not true of the paintings, the historic and scientific objects in museums. There are very few branch museums in the United States.

An obvious reason is the cost of building and properly maintaining branches. A second reason is the difficulty and the inadvisability of splitting up valuable collections. A third reason is the scarcity of masterworks of art and certain categories of historic and scientific objects.

As an alternative to branch museums traveling exhibits have been developed. Many museums participate in providing them. The Smithsonian, for instance, has 104 exhibits on the road at this time. Some portray facets of science, some deal with technological developments of wide interest, some are concerned with history. All are booked far in advance. All require the services of highly skilled exhibit technicians and professional curators in their preparation. They are therefore a heavy drain on a museum staff.

Putting together a traveling exhibit of works of art presents special problems. There is always the risk of damage in shipping a work of art, or in displaying it in a place where control of temperature and humidity is unsatisfactory and security a gamble.

It is common practice for art museums, however, to keep part of their collections out on loan to other museums, when they are equipped to provide adequate care. This offers an ever-wider audience for works of art. And, with most Americans "on wheels," it is theoretically possible for all who wish to enjoy a painting to travel to the museum where it is on exhibit.

There could be many more such inter-museum loans if Federal funds were available to supplement and share the expense of packing, shipping and insuring works of art. These costs have risen to the point where neither large nor small museums can afford to arrange as many inter-museum loans as they should.

The fact remains, despite mass mobility, that exhibitions in museums do not reach parts of the country where there are no museums, nor do they reach those segments of the population which are not mobile.

Some form of traveling exhibit is a possible solution.

This solution requires buildings and personnel equipped to care for and interpret exhibits. It has been suggested that the problem would be solved by establishing receiving centers for exhibitions throughout the country, so that traveling exhibits could be drawn from such centers for circulation in areas not now served by museums.

A prototype of this system is under development in Pennsylvania by the State Bureau of Museums. Fourteen centers will act as clearing-houses to circulate some 900 portable exhibits to schools throughout the State, as soon as funds under the Elementary and Secondary Education Act are made available. This project is known as Project AIME, which being interpreted means Audiovisual Instructive Museum Exhibits.

Whether a national system of receiving centers for traveling exhibits is the best way to meet national needs is impossible to determine without much more study and experimentation. It is suggested that the Federal Government make between \$500,000 and \$1 million available for such study and experimentation.

Mass media

It is probably fair to say that most museums have not made the use of mass media as they should have, in either their own interest or that of the public. Press and radio, of course, have long been counted on to announce museum acquisitions and programs, since the museums' own publications reach only a limited audience. Slides and film strips are widely distributed to schools and special-interest groups. But other and newer techniques are employed by relatively few museums.

A television camera, for instance, can display the resources of a museum to millions week after week at relatively low cost per viewer. Few of the nation's 6,000 museums make regular use of television. The explanation is that though the cost per viewer is low, the cost per museum is much more than most museum budgets can stand.

One of the few museums—an art museum—which telecasts regularly from its exhibit halls had to prepare for it by spending \$100,000 installing power outlets and camera connections, then acquiring a trained staff and allocating about \$35,000 annually for TV shows. Officials of this museum are convinced that the dividends in the form of large audiences every week more than justify the cost. The weekly audience, through a network of educational stations, is well up in the hundreds of thousands. By contrast, weekly attendance at the museum itself averages only about 15,000.

The difficulty is that so few museums can afford \$100,000 to install TV facilities, or have a staff trained in TV techniques, or can budget \$35,000 a year to prepare TV shows—unless they reduce other essential expenditures and services.

The introduction of EVR (Electronic Video Recording), mentioned on page 42, however, promises to add greatly to the media resources open to museums and at less cost than present television programs.

What is needed by most museums, if they are to use mass media to reach more people, is money for experimentation and for guidance by experts in the media. The Federal Government's declared interest in educational possibilities of museums.

It is suggested that an initial allocation of \$1 million be provided for experimentation in television and other mass media by a small number of selected museums.

Basic research and publication

It is in financing basic research that the Federal Government has in the past been most helpful to museums. The National Science Foundation has been especially ac-

tive, with grants to more than 200 museums (including botanical gardens and herbariums) for a total in excess of \$4 million a year. In the main these grants have gone to finance research in natural science museums, with smaller grants to history museums. Art museums have yet to benefit to any significant extent from Federal grants.

Federal support of basic research in museums is in line with a trend that began after World War II. In 1956, NSF statistics show, total Federal obligations for basic research amounted to \$201 million. By 1964 the total came to \$1,782 million. The share of this total allocated to museums has remained at modest levels.

It seems generally agreed that Federal support for basic research will be necessary indefinitely, and that some planned expansion is in order; if so, museums making their resources available for such research will require funds for new research facilities, permanent equipment, and improvement in the storage, documentation and accessibility of collections, as well as funds for salaries.

In the judgment of directors of representative history and science museums, assuming a five-year program of increased allocations, the added expenditures for research in science and history museums should approximate \$6 million in the first year, \$11 million in the second, and \$19 million five years hence.

What is needed now is to determine both the direction this expanded research program should take and the relative share in financing it to be assumed by the museums and by the Federal Government.

It is suggested that the National Science Foundation, because of its experience in supporting museum research, could be particularly helpful in this determination. In addition, it is urged that adequate funds be appropriated to the Arts and Humanities Endowments to enable them to bring to the disciplines within their purview the vitality which the National Science Foundation has brought to the sciences served by museums.

Conservation and restoration

The task of conserving and restoring the millions of objects in America's 6,000 museums is an enormous one. Art museums have perhaps the most acute conservation problem, and are most conscious of it. Many of the smaller history museums, where the problem is also acute, seem least able to do anything about it.

A curator of wide experience recently summarized the situation, as he has found it, this way: "I question whether even a small percentage of the museums in this country are doing anything more than presiding over the steady deterioration of that which they have been instituted to preserve."

In part this situation exists because physical facilities for conserving museum objects are inadequate. Some means of controlling temperature and humidity is essential if paintings and aging historical objects are to be preserved. It is less of a problem in a science museum, but there, too, extremes of temperature and humidity or high concentration of sulfur dioxide in the air can, for example, cause irreparable damage to an insect collection.

One solution, mentioned earlier, is environmental control—control of temperature, humidity and air pollution through air conditioning. Some museums have part of their buildings air conditioned, but few museums have been able to afford it for all their exhibition and storage areas.

There is a good deal more to the problem than this, however. Many museums lack a systematic program of conservation and restoration, and even those that have such programs have tremendous backlogs of objects needing preservation. There is, at the same time, a shortage of trained conservators, and facilities for more are inadequate. Final-

ly, there is urgent need for research in conservation techniques.

In 1952 a handful of art museums, conscious that most individual museums could not cope with their problems of conservation and restoration, organized the Intermuseum Conservation Association. Member museums needing conservation services request them of the ICA laboratory, operated by a small staff of highly trained people. The cost to each member museum is in this way kept within bounds.

The facilities of the ICA laboratory are limited, however. Membership in the Association is correspondingly small. For most museums on severely limited operating budgets adequate conservation remains a distant goal. Only a large museum with an operating budget in excess of \$200,000 can justify establishing its own conservation laboratory—if it can locate trained personnel to operate it.

It is clear that any attack on the conservation problem of museums must be long term and gradual. The problem will not be resolved quickly. If it is ever to be solved, the support of the Federal Government will be indispensable.

Funds are needed for the following purposes: (1) scientific research on methods of conservation in museums, (2) laboratory facilities, and equipment and staff for such research, (3) programs to train and develop museum conservators, and (4) the purchase of conservation services by those museums which cannot have their own laboratory facilities.

It is suggested that Federal funds totaling between \$750,000 and \$1,250,000 be made available initially on a matching basis so that 10 regional conservation centers may be established.

A museum computer network

It is becoming increasingly difficult to provide adequate access to our vast public collections of art, scientific and historical material or to fulfill the intensified demands made of them for information by a society attuned to higher thresholds of knowledge. The more difficult is to confront the actual objects in our museum collections, the more valuable the information about them becomes. While there is a finite limit to the number of visitors that can be accommodated in a museum's galleries on a given day, the public which may address itself to our dominion of information—through the use of new communications technology—is theoretically unlimited.

The demand for the information which our museums contain is far beyond their present capabilities to supply. America's museums have amassed, and continue to acquire, an astounding number of objects—with the attendant accumulation of increasing amounts of information about them. Yet they are unable to make proper use of this growing store of data because their present methods of recording and retrieving information concerning their collections are antiquated and inefficient.

The problem confronting the Smithsonian's Museum of Natural History illustrates the situation. This museum has 50 million specimens in 86 major scientific collections. One of these—not the largest—is a crustacean collection of half a million objects occupying 10½ miles of shelves. But the collection is almost valueless for purposes of research or teaching because the registration and cataloguing of information descriptive of it is years behind the need for the material in question."

What is true in this one museum is true in greater or lesser degree in almost every museum in the country, whether its field is science or art or history.

A solution to the information management problem exists in the imaginative application of computer technology. The computer

is admirably suited to organizing and storing in highly accessible form vast amounts of information. Moreover, thanks to new techniques, it now is possible to construct a computer-directed archive to accommodate any type of record (whether textual or visual) which museums use.

A first step toward the creation of a comprehensive information system is being taken by the Museum Computer Network project, sponsored by a consortium of 25 art museums throughout the United States. Now in its second year, the project is laying the groundwork for the establishment of a national data bank of public art collections by conducting an intensive study leading to the design and implementation of the kind of system required.²

The Smithsonian's Museum of Natural History is undertaking a related project which may ultimately serve as the model for an information system embracing science museum resources.

The Museum Computer Network project and the Smithsonian's pilot project are modest beginnings. The fact has to be faced that to design, develop and operate computer-based banks for all American museums will cost millions of dollars. Much careful research and experimental work must be done before such information systems can be created. The work now in progress is a start, but it is on much too limited a scale. It is urgent that funds be made available at an early date so that museums may proceed with the preliminary investigation and experimentation needed.

It is therefore suggested that the Federal Government provide a minimum of \$1 million on a matching basis to help museums design and develop computerized systems for the efficient storage and retrieval of information.

6. A MECHANISM FOR FEDERAL SUPPORT

Once the Federal Government decides as a matter of policy to provide financial support for museums as it does for other educational institutions, what governmental machinery does it use? What agency or agencies can most logically and efficiently implement the policy?

For years museums naturally have had a close working relationship with the Smithsonian Institution. The Smithsonian, however, has not been a channel for massive Federal funds. Such Federal grants as have been made have come mainly from the National Science Foundation and from certain other discipline-oriented departments or agencies. The Office of Education also has been involved through its support of schools and other educational institutions. Increasingly the National Endowments for the Arts and Humanities have become concerned with the problems and needs of museums, but they have yet to receive funds commensurate with the needs.

At present there is no single Federal agency which concerns itself with museums and also allocates funds to them. There is, however, a non-governmental organization which has served museums for 63 years. This is the American Association of Museums—the only national organization representing all the categories of institutions making up the museum field. It is a non-profit educational organization maintained to promote the welfare and advancement of museums as educational institutions, as agencies of scientific and academic research, and as cultural centers. Consideration might well be given to ways in which the American Association of Museums could serve the Federal Government in its relations with museums.

One important way in which the Association could be helpful would be the development of museum standards and methods of

² See Appendix for more detailed information.

accreditation. How many of the nation's 6,000 or so museums today meet acceptable standards is unknown. If attendance is the criterion, the number of museums in position to qualify is small, as the statistics on page 4 of this report indicate. Attendance, however, is not in itself a conclusive criterion. It is urgent that the American Association of Museums and its member institutions develop and agree upon acceptable criteria and methods of accrediting museums.

To date, the Federal Government has shown more interest in science museums than in those concerned with art or history. This is because the research functions of science museums parallel the research interests of numerous Federal departments and agencies. Funds are allocated to museums for research by the National Science Foundation and other Federal departments and agencies. Between these agencies and museums a collaborative system has evolved gradually and logically. It is an arrangement that is in the interest of both the Federal Government and museums. There is no reason to disrupt it and many reasons to continue it.

A similar well-funded relationship for all museums should be developed within the Office of Education and the Endowments for the Arts and Humanities to involve art and history museums. Still other research potentialities exist in the National Trust for Historic Preservation.

It is urged that all agencies oriented to such disciplines as art, history or science review the support now going to museums and seek means of strengthening this support. It is also urged that existing legislation be amended to permit support to museums which are active in program areas coincident to the intent of the legislation but from which support museums are now barred by the specifics of the legislation; further, that similar amendments in tax laws and regulations be made to remove provisions discriminatory to museums (see pages 33-40).

While it is true that museums are mentioned along with other educational institutions in some existing legislation, the mention has gone almost unnoticed. As a practical matter it is extraordinarily difficult for a museum to obtain any of the benefits of Federal legislation enacted in the interests of educational institutions.

Needs common to all museums

Grants for research do not meet all the needs of museums, as preceding pages of this report make plain. There are other priority needs, and they are common to all museums whether their field is art or history or science.

For example: museums have problems of building maintenance, rehabilitation and construction. They have the problem of conducting educational programs which extend from the pre-school age to the graduate level and beyond. Museums have the problem inherent in acquiring and preserving collections and making them accessible for scholarly use. Museums face the problem of caring for millions of visitors—accommodating them in galleries and exhibition halls, providing them with information, check rooms, food, lounges, toilets, and parking space—if possible.

These problems common to most museums are so diverse, and they could involve so many Federal agencies, that to divide responsibility for them among all the agencies which might be concerned would probably not serve the interest of either the museums or the Government. It might be wise, eventually, to make one agency responsible for disbursing those Federal funds appropriated for the common needs of museums.

Such an agency could logically be a unit within a new Federal Department, a Department of Cultural Affairs, which has been suggested as the ultimate solution to the mul-

tying problems of the Federal relationship to the cultural life of the nation. An increasing number of people have proposed the establishment of such a department. It is a proposal which other nations much concerned about cultural affairs have put into effect.

For the present this report suggests that the existing machinery of the Federal Government be employed to meet the urgent needs of museums. There is already on the books a National Museum Act. There are several Federal Departments and agencies which can allocate funds to museums. There are other departments and agencies which could make funds available to museums if existing legislation were amended.

The National Museum Act

Consider first the Smithsonian and the National Museum Act. Within the Smithsonian the United States National Museum is the unit entirely oriented towards cooperation with other museums and their associations. Its purpose is to work cooperatively with museum professionals in the United States and abroad to increase the effectiveness of museums in the performance of their scholarly and public functions.

The Smithsonian has not, however, had massive funds or grants to distribute to museums for facilities or acquisitions or for the support of continuing museum programs. Whether or not it might be assigned such responsibilities in the future, it is clear that a number of the needs relating to museums, as museums, can be addressed immediately under the National Museum Act.

This is said because there are other services to museums which the Smithsonian has long performed and which might well be expanded. Long before there was a National Museum Act the Smithsonian was supporting service programs responsive to wide museum needs. Joseph Henry, the first Secretary, organized the international exchange of information and publications between institutions and museum professionals. He gave grants for field work to non-Smithsonian anthropologists and published the works of others. Successive administrations have continued the Smithsonian's concern with broad museum problems.

At various times the Federal Government has asked the Smithsonian to engage itself in programs benefiting museums. One of these is the program to use blocked funds for educational purposes in excess-currency countries. This latter program involved grants in fiscal 1969 providing the dollar equivalent of \$1,230,000.

The National Museum Act confirms the tradition of museum services performed by the Smithsonian and names the National Museum to carry them on with the cooperation of the museums of the country. To date the Congress has not made appropriations to implement the Act. An appropriation of at least \$1 million for the first year is essential. When an appropriation is made available, as the authors of this report urge, the American Association of Museums and its member institutions can make more rapid progress in establishing museum standards and methods of accreditation, can aid experiments with museum consortiums and mutual assistance projects, and can help museums evaluate and improve the educational value of their programs.

Amending existing legislation

Before the Federal Government can meet adequately the needs of museums it will be necessary to amend certain statutes. As pointed out, many Federal programs in aid of educational institutions do not permit direct grant support to museums. This is true of programs administered under all or most titles of the Higher Education Act, Higher Secondary Facilities Act, Elementary and Secondary Education Act, Educational Professions Development Act, National Defense Education Act, Library Service and Con-

tion Act, and Federal Property and Administrative Services Act.

It is exceedingly important that qualified museums be recognized as institutions of higher education equally as eligible for direct Federal dollar support as are their degree-granting university partners. This Federal policy should be established by Congressional hearings, by changes in existing legislation in aid of higher education, and by demonstration to the administrators of fund-granting agencies that museums are institutions of higher education eligible for direct support.

Amendments to Acts concerned with Elementary and Secondary Education should also be made to permit financial support to those museums which provide educational programs at school levels. Such amendments could go some distance toward meeting the common needs of all museums.

The authors of this report, however, while intimately familiar with the present condition and needs of museums, and while confident that their report sums up the present condition and needs of museums, do not feel competent to draft amendments to Federal statutes or to advise the Federal Government on how best to meet its obligations to museums.

The museum representatives responsible for this report therefore urge the Federal Council on the Arts and the Humanities to pursue its interest in museums and to inaugurate studies designed to develop specific proposals to amend legislation in the interests of museums. In such studies representatives of the American Association of Museums will be glad to be of assistance.

In summary

In conclusion, the Committee on Museum Needs submits the following recommendations:

That the National Museum Act be funded with an appropriation of at least \$1 million for the first year;

That grants to museums from Federal departments and agencies already concerned with museums be sharply increased, specifically the National Endowment for the Arts, the National Endowment for the Humanities, the U.S. Office of Education, and the National Science Foundation;

That the Federal Government, as a matter of basic policy, recognize museums as educational institutions, working in formal affiliation with elementary, secondary, graduate and undergraduate level institutions;

That the Federal Council on the Arts and the Humanities, in furtherance of the above basic policy, be asked to study the problems of museums further and to make recommendations with reference to existing legislation to the end that the Federal Government may meet its obligations to museums;

That this report be published for the information and use of all those concerned about the future of museums.

APPENDIX

"REPORT OF THE COMMISSIONER'S COMMITTEE ON MUSEUM RESOURCES," UNIVERSITY OF THE STATE OF NEW YORK, STATE EDUCATION DEPARTMENT, NEW YORK STATE MUSEUM AND SCIENCE SERVICE (1962)

"The Museum of the City of New York is able to offer organized teaching service to only one-third of the school children who visit daily.

"The American Museum of Natural History, Department of Education, is currently turning down requests for teaching service for an average of 1,000 children in school groups each day of the year. A much-needed lecture series for high school students on biology, earth science, and social studies has been discontinued. All requests from out-of-town groups for guidance service are refused. All requests for circulating exhibits from New York State schools, except for schools in New

York City, are refused. Requests for weekend workshops for natural science teachers cannot be fulfilled. Requests for educational publications needed by teachers to make their use of the museum's resources more meaningful cannot be filled.

"The Metropolitan Museum of Art is forced to turn down one-third to one-half of all requests from groups for gallery guidance and must turn down all requests for Saturday and Sunday guidance from groups. At certain times of peak attendance, whole galleries must be closed. Half of the requests received for lectures for high school students must be refused. Talks given by staff members at the public high schools have been stopped. Requests for publications from young children and requests for circulating exhibits and circulating films are turned down.

"Despite the growing demands on museums to participate in educational television programs, both the Metropolitan Museum of Art and the American Museum of Natural History report that, because of lack of staff and funds, they cannot comply.

"At the Rochester Museum of Arts and Sciences, the educational staff in 1961 gave class and lecture instruction to 17,346 children in 539 groups (36 percent from Rochester, 33 percent from the county outside the city, and 31 percent from outside the county); but, because of limited staff, an additional 3,000 children who came to the museum could not receive instruction. Lack of funds has forced the museum to turn down requests from teachers and the general public for courses in astronomy, space science, weather study, atomic energy, and other topics. Although the museum loan service scheduled 2,324 exhibits reaching almost 50,000 students, lack of funds for exhibits delivery required that an additional 1,584 units for county schools had to be transported by private cars. A vastly larger number of students would be reached by the loan service program if funds for the efficient transportation of exhibits were available.

"The Buffalo Museum of Science annually programs educational classes and tours for all city of Buffalo school grades six, seven, and eight. But despite guide service for over 26,000 students and museum visits by another 10,000 students, due to a limited staff of guides and teachers, the museum refuses service to all school groups below grade six except for grade four students and of these only one-third of the students can be accommodated each year. Also, because of limited staff, school groups who come for Saturday tours, mainly from out-of-town, must be denied guide service even though Saturday is the only day these groups have bus transportation available. Requests from schools to field guides are refused due to lack of curatorial and educational staff. Many requests from individuals working on special study and research projects are refused help because of a limited staff. For want of an adequate curatorial staff the museum's anthropological and natural history collections are not available for research by qualified graduate students of a nearby university. At each lecture and related program in the 450-seat museum auditorium, approximately 200 persons are turned away. The large film library refuses five requests each day for films because duplicates are not available, and the lack of staff to service films prevents their distribution beyond a 20-mile radius of the city. The astronomy department has the only observatory in western New York but the museum has no budget item for an astronomer. Weekly television programs are furnished by the museum for one local station but requests from two other stations for similar service must be denied."

This was the situation reported by these museums in 1962, in 1966, with attendance

higher while facilities and staff remain much as they were, the same museums reported as follows:

"Museum of the City of New York: 'Pressure has indeed increased and we are forced to turn away three classes for each one accepted . . . it is a matter of so many classes and only so much space.'

"The American Museum of Natural History: 'The state of affairs described in the Hochschild report of 1962 still exists . . . Our facilities and staff in the Education Department have not materially changed since then, while the demand for their services has proportionately increased.'

"The Museum has long felt the need for additional personnel and new facilities to carry out its current educational programs more effectively and to extend that program in directions that are clearly indicated by current problems in the community of New York. As examples . . .:

"1. The present support for our education program from the City of New York provides only limited service to the students and teachers of the New York public school system. We are facing increasing pressure from schools and school districts outside New York City for parallel programs and for additional services, which we simply cannot fill for lack of support.

"2. There is a growing concern in New York for the need to supply meaningful educational experiences during non-school periods of the year, especially for the large population of socially and economically deprived children in our city. Our staff and facilities are simply not adequate to serve these needs.

"3. The opportunities to provide educational services from the Museum through the media of radio and television are vast. Nevertheless, we do not have even minimal facilities to begin such work.

"4. The educational facilities of the American Museum were not designed to carry out the variety and scope of programs which the modern world requires. We recognize the need for a new building as part of our complex, designed and equipped specifically for the needs of museum education. Plans for such a building, costing in the neighborhood of \$8 million, have been discussed for some time. But we cannot see, in the sources of funds available to us now and in the foreseeable future, any possibility of raising the amount needed.'

"The Buffalo Museum of Science: 'The situation has not improved since 1962. One additional curator has been hired but a much larger staff is needed. The film library continues to have to turn down requests. The demand for guided tours continues to exceed staff capabilities as in 1962. The increased demands can only be met by an increase in staff and a larger building.'

"Rochester Museum of Arts and Sciences: ' . . . The educational staff in 1967 gave class and lecture instruction to 33,740 children in 1,083 groups (25% from Rochester, 50% from the county outside the city, and 25% from outside the county); but, because of limited staff, an additional 4,000 children who came to the museum could not receive instruction. Lack of funds has forced the museum to turn down requests from teachers and from the general public for courses in astronomy, space science, weather study, atomic energy and other topics. Although the museum loan service scheduled 1,785 exhibits reaching 63,091 students outside the building, lack of funds for exhibit delivery required that an additional 2,221 units for county schools had to be transported by private car or by some other means.'

"The Metropolitan Museum of Art: 'It remains true that requests for gallery guidance exceed our ability to offer appointments at the ratio of approximately 1 to 1.'

"(During the six months July-December, . . .)

1967, Museum lecturers conducted gallery tours for 654 groups comprising 18,826 persons, but 1,710 groups comprising 52,573 persons toured the galleries without benefit of museum lecturers. The figures include tours for adults, high school, and elementary school visitors, with the latter predominating. Though many groups did not request the help of Museum lecturers, it is clear that demand exceeded the service the Museum could offer.)

"We are trying to combat this problem by offering a Teacher's Consulting Service whereby a teacher who is unable to obtain an appointment for the Museum's formal program can come to the Museum between 3 and 5 on any weekday afternoon and, without appointment, meet with a staff lecturer to discuss the class visit in advance. Maps are plotted out and bibliography suggested. We hope to offer printed material suggesting possible tours. We are also expanding our program of courses for teachers in the hope that they, themselves, can be enabled to teach from the original object. . . .

"We are now developing educational materials—in book form, film, filmstrips, and exhibitions—which can be used in the school classrooms. The technology which is presently available does make it possible, I believe, for the Museum to produce and distribute on a large scale materials which will promote understanding and widespread knowledge of Museum collections.

"Educational television could be very successful and it seems to me not impossible to locate the funds to develop programs. It will be more difficult to devise formats for presenting our material that can hold its own in this most competitive and professional medium.

"In general, I would say that the pressures on museums to serve as centers of education have and will continue to increase."

MUSEUM OPERATING BUDGETS

A Representative Sample: The budgets given below for two fiscal years a decade apart—1956/57 and 1966/67—are for art, history and science museums chosen as typical of small, medium-sized and large institutions. The statistics are those published in museum annual reports on file with the American Association of Museums.

SMALL MUSEUMS

	1966-67	1956-57
Art:		
Income.....	\$174,333	\$22,832
Expenses.....	175,327	21,882
Income.....	53,268	133,659
Expenses.....	47,606	133,390
History:		
Income.....	95,483	166,487
Expenses.....	97,388	154,507
Science:		
Income.....	115,040	172,167
Expenses.....	114,934	172,167

1 Nearest year.

MEDIUM-SIZED MUSEUMS

	1966-67	1956-57
Art:		
Income.....	\$469,756	\$214,504
Expenses.....	471,312	220,133
Income.....	313,226	238,435
Expenses.....	278,663	235,059
History:		
Income.....	101,730	155,000
Expenses.....	108,620	155,920
Income.....	392,673	1265,480
Expenses.....	376,317	1256,337
Science:		
Income.....	209,199	197,629
Expenses.....	176,003	187,560

1 Nearest year.

LARGE MUSEUM S

	1966-67	1956-57
Art:		
Income.....	\$1,172,790	\$546,693
Expenses.....	1,175,397	620,114
Income.....	5,476,202	2,124,122
Expenses.....	5,472,600	2,121,981
History:		
Income.....	558,080	147,917
Expenses.....	791,815	147,917
Science:		
Income.....	4,178,043	2,858,815
Expenses.....	4,212,852	2,972,094

Preliminary data from an unfinished survey being conducted by the Associated Councils of the Arts (1968)

FOUNDATION GRANTS TO ART MUSEUMS

[A survey of thirty-three museums of art]

	No grants	1 grant	More than 1 grant
Large museums: Operating budgets over \$500,000.....	4	1	3
Medium museums: Operating budgets between \$100,000 and \$500,000.....	12	2	1
Small museums: Operating budgets under \$100,000.....	7	2	1
Totals.....	23	5	5

70 per cent of all respondents reported no grants from foundations.

15 per cent of all respondents reported only one foundation grant.

15 per cent of all respondents reported more than one foundation grant.

50 per cent of the large museums responding (four out of eight) reported no foundation grants.

80 per cent of the medium-sized museums (twelve out of fifteen) reported no foundation grants.

70 percent of the small museums (seven out of ten) reported no foundation grants.

FOUNDATION GRANTS AS A PERCENTAGE OF TOTAL INCOME

[For museums reporting 1 or more foundation grants]

	Percent					
	Less than 1	1-5	5-10	10-15	15-25	Over 25
Large museums: operating budget over \$500,000.....	2	1	1	0	0	0
Medium museums: operating budgets \$100,000-\$500,000.....	1	0	0	0	2	0
Small museums: operating budgets under \$100,000.....	1	1	0	0	0	1
Total.....	4	2	1	0	2	1

The sample is too small for averages or medians to be meaningful. The range of responses, however, is indicated in the following figures:

One large museum reported two grants totalling \$390,000.

One large museum reported eighteen grants, although the average of these grants was only \$500.*

One medium museum reported thirty-four separate grants totalling \$85,000, an average of \$2,500.*

One small museum reported three grants totalling \$20,000, or roughly 28 per cent of its total income.

* The number of grants recorded in these cases, in contrast to the other responses, causes one to question whether or not a different definition of "foundation grant" may have been used. The questionnaire itself was not clear on this point.

ART MUSEUMS SALARIES

(Preliminary data from an unfinished survey being conducted by the Associated Councils of the Arts (1968)—Salary information based on 41 responses)

(Figures in thousands)

	High	Low	Average
Directors salaries:			
Large museums: 11 museums; 11 positions.....	25	15-17	21-25
Medium museums: 19 museums; 19 positions.....	25	11-13	15-17
Small museums: 11 museums; 10 positions.....	11-13	6-7	9-11
Assistant directors salaries:			
Large museums: 11 museums; 9 positions.....	21-25	8-9	15-17
Medium museums: 19 museums; 8 positions.....	11-13	8-9	9-11
Small museums: 11 museums; 4 positions.....	(4)	(4)	(4)
Curators salaries:			
Large museums: 11 museums; 36 positions.....	17-19	5-6	11-13
Medium museums: 19 museums; 15 positions.....	13-15	3-5	9-11
Small museums: 11 museums; 4 positions.....	9-11	5-6	7-8
Associate and assistant curators salaries:			
Large museums: 11 museums; 39 positions.....	11-13	6-7	8-9
Medium museums: 19 museums; 13 positions.....	11-13	3-5	8-9
Small museums: 11 museums; 4 positions.....	(7)	(7)	(7)
Registrars salaries (only chief registrar):			
Large museums: 11 museums; 10 positions.....	11-13	3-5	8-9
Medium museums: 19 museums; 10 positions.....	8-9	3-5	7-8
Small museums: 11 museums; 4 positions.....	(9)	(9)	(9)
Education directors salaries (only chief position if more than 1):			
Large museums: 11 museums; 10 positions.....	17-19	5-6	11-13
Medium museums: 19 museums; 12 positions.....	11-13	6-7	8-9
Small museums: 11 museums; 4 positions.....	(9)	(9)	(9)
Conservators salaries (only chief position if more than 1):			
Large museums: 11 museums; 6 positions.....	19-21	9-11	13-15
Medium museums: 19 museums; 4 positions.....	(10)	(10)	(10)
Small museums: 11 museums; 4 positions.....	(11)	(11)	(11)

¹ Large museums—operating budgets over \$500,000.

² Medium museums—operating budgets between \$100,000-\$500,000.

³ Small museums—operating budgets under \$100,000.

⁴ Only 3 small museums reported assistant directors, (all in the \$7-8,000 range.)

⁵ Several museums reported more than 1 chief curatorial position. All chief curatorial positions were included in this analysis.

⁶ Several museums reported more than 1 associate or assistant curatorial position. All associate or assistant curatorial positions were included in this analysis.

⁷ Only 1 small museum reported an associate curator on the staff (\$3-9,000 range.)

⁸ Only 1 small museum reported a registrar position (\$5-6,000 range.)

⁹ Only 2 small museums (reported education directors \$3-7,000 range.)

¹⁰ Only 1 medium museum reported a conservator on the staff (\$9-11,000 range.)

¹¹ No small museums reported conservators.

A COMPUTER-BASED INFORMATION SYSTEM FOR THE AMERICAN MUSEUM COMMUNITY

As the museum audience continues to grow at an accelerating rate which has long since surpassed our means to expand institutional facilities, it is becoming increasingly difficult to provide adequate access to our vast public collections of art, scientific and historical materials or to fulfill the manifold and intensified demands made of them for information by a society attuned to higher thresholds of knowledge. While there is a finite limit to the number of visitors who can be accommodated in a museum on a given day, the public which may address itself to our dominion of information—through the use of new communications technology—is theoretically unlimited. The textual and visual records descriptive of our museum holdings is a valuable resource, to be marshalled and conserved with the same care devoted to the preservation of the collections themselves and to be made available

in a meaningful context to all who care to use it.

In the years which witnessed the proliferation of American museums (and the enlargement of public collections) there was little incentive to develop or refine their information function. The burgeoning records of our museums are, therefore, distributed—without benefit of cross-referencing—in the files of several thousand institutions whose methods of registration and cataloguing have changed little in the past 100 years. Lacking any central source of information or the means for rapid or selective access to the large bodies of data within its charge, it is small wonder that the museum establishment is threatened with the loss of significant portions of its priceless asset of information. If we are to have our archives from the atrophy of disuse and endow them with the fuller expressive powers of accessibility, we must consign them to more efficient storage. If we are to discharge our duty to education and scholarship and develop our unrealized potentials for public service, we must reconcile ourselves to the cooperative formation of central repositories of information, or data banks, with facilities for handling inquiries from many classes of users reflecting varying levels of acuity and professional interest.

What is called for is the establishment of comprehensive information systems as an integral aspect of museum operations. The means to achieve this—through the imaginative application of computer technology—is presently at hand. Storage devices already exist which could, for example, reduce the complete catalogues of all the art museums in New York City to a space no larger than a desk drawer, with full and instantaneous access to any item in the file assured under a broad range of research criteria. Large bodies of textual material can be perused under computer control with the same sensitivity and interplay that the scholar enjoys in scanning his own familiar array of index cards. The machine can be made to organize data, to generate and print reference lists, and disseminate abstracts of periodical literature selectively to a large readership based on individual user profiles. New apparatus now in the developmental state may soon permit images to be compacted and stored digitally as easily as text, for handy recovery.

In short, the technical capabilities for expanding the cultural and educative role of our museums through the enhancement of their information activities are already within reach. The extent of what we may presume to do is rather a function of the financial resources which we can hope to command and our own imagination in adapting the new technology to our emerging needs.

The computer is admirably suited to the task of organizing, and storing in highly accessible form, vast amounts of information. Dramatic advances in the development of techniques for processing humanities data, as effectively as scientific or numeric information, now make it possible to construct a computer-directed archive—with associated communications facilities—which can accommodate all types of records and reference materials with which museums customarily deal. Such an archive or "information system" should be maintained, ideally, at a headquarters location from which the stored information would be retrieved and distributed on request to a great number of users over a network of terminals strategically placed in museums, libraries and educational institutions throughout the region which the archive serves. The actual assembly of data for a central "data bank" is generally preceded by a feasibility study culminating in a "systems design" (the blueprint which guides the eventual implementation

of the system proposed). Any such enterprise within the framework of the American museum community would, most likely, be organized and operated by the group of museums whose information resources would form the system's data bank. Let us consider for the moment how this might be accomplished.

There is little doubt that the expense of creating one data bank, embracing all collections throughout the country representative of any segment of the museum community, would be substantially less than the overall cost of several smaller regional archives of the same total scope. The systems development expense, and the initial investment in the basic computer equipment required to drive a data bank, are largely independent of the quantity of information to be stored. Similarly, the communication facilities for data dissemination do not vary appreciably with the size of the territory served (unless interrogations are conducted "on-line" over a network of terminals connected to the central computer; however, aside from a very few of our largest institutions, it seems unlikely that the volume of use or the urgency of response in any museum-oriented information system would warrant the markedly higher cost of operating in a "real-time" mode for perhaps 10 years to come). The major cost item that is a variable and directly proportional to the amplitude of the system is, of course, the actual expense of collecting data.

A comprehensive information system for our nation's art museums would require a half-million dollars to develop and design, and at least \$3 million to outfit were it to include a minimum configuration of terminals. An even larger sum would be consumed in the process of gathering data for assembly of the data bank itself. The painstaking conversion of existing museum records and related information into machine-readable form is itself a prodigious and costly effort. If the public art collections in this country were found to include 6 million objects—not an unlikely possibility—and museum records could be translated into proper format for computer input at the rather optimistic rate of 5 minutes per object, 20,000 man-weeks of cataloguing time would be involved in carrying out the task. Were this work to be done by specially trained curatorial teams commanding an average individual salary of \$250 per week, this aspect of the project alone would cost \$5 million.

Substantially more would be needed to establish a comparable system for our nation's science museums, whose universe of data is far greater. The Museum of Natural History of The Smithsonian Institution has, for example, a collection of some 50 million specimens which grows at the rate of 1 million accessions every year. This museum is already faced with the necessity of creating a computerized cataloguing system for its own holdings. Should it elect to convert its present records to machine storage, a sum far in excess of its annual operating budget would have to be spent simply for the transposing of files into computer form.

Closer analysis of the technical considerations involved in organizing discrete bodies of museum data of seemingly divergent characteristics for machine input points to many unsuspected areas of similarity or coincidence in the requisite computer methodology. This suggests that consideration be given to the design of a single information system serving all museums of the United States, in which the records of art, history and science and those of specialized institutions would be stored at one large computer headquarters in separate but compatible data banks differentiated on the basis of the nature of the information contained. Aside from the obvious philosophical advantages of creating a

single system which permitted free communication across disciplinary lines, the possibility of substantial cost savings argues persuasively in favor of reconstituting the information services of the entire museum establishment with a single thrust.

The sponsorship and funding of any museum information system of national proportions—whether intra- or cross-disciplinary—is, necessarily, a formidable undertaking. Aside from the overwhelming expense of getting under way, one must allow for deficits in the early years of operation when no such system could hope to pass on any substantial share of its running costs to outside users. Although museums can be expected to contribute to an operating budget by diverting to it funds otherwise spent on housekeeping tasks which could be performed far more economically on the system's computer equipment, such contributions would not cover the full expense. The participating museums would also be asked to provide services, curatorial facilities and eventual system supervision; however, the financial support for the formation and early operation of such an enterprise must come from other sources. It should be equally apparent that the venture is too ambitious to be funded initially by even our largest private foundations without the assistance of the Federal establishment.

As the cost of any plan for conserving and developing the natural resources of information charged to the custody of our museums approaches the fiscal dimensions of other programs of social significance, its worth must, of course, be tested in the market place of the greater society which we aspire to be. The value of a museum communications system derives from its synergistic potential for the advance of knowledge in the broadest sense. The accessing of valuable neglected archives, the upgrading of institutional services, and the general enhancement of traditional activities in education and research, which depend upon the data to which museums are privy, state the obvious case for such a system.

In addition to such promising applications, the establishment of a computerized system for handling the information which is now only theoretically at our command will provide us with a logical source for programming other museum activities which call for random access to information. By this means, we might hope to structure the museum audience in ways which today seem scarcely possible, relying upon a computer-controlled orientation center to guide and instruct the museum visitor in a mode specially selected to suit his individual requirements. It is not at all farfetched to envision the time in the not-too-distant future when the museum will offer not only such services but a broad spectrum of experiences ranging from the pedagogical and classically contemplative to the most fanciful of audio-visual, interactive situations; nor is it outrageous to dream of the day when museum information may be delivered electronically from a computer center directly to the home or classroom.

We must also consider, in the final analysis, that the use of new computer-based technology to develop a comprehensive museum information system is a major step towards the larger objective of creating, ultimately, a network of inter-connected information systems encompassing the full spectrum of man's achievements. It is the time-sharing aspect of the computer—its capability to serve many interrogators simultaneously—that opens to us this possibility of information interchange between a large group of users in which the machine functions heuristically as the medium of the exchange. The realization of the "on-line" intellectual society, and its concomitant "utility of information" in which knowledge may be transmitted to point of use with

the same ease as electricity, is the higher purpose which should inspire our present efforts. A nation-wide system of museum resources would, therefore, function not only as a remarkable new tool of education and scholarship but as a prototype for comparable systems in the humanities which are destined to appear. The fulfillment of this ambition will demand the initiative of the American museum community as a whole, and the enlightened participation of public and private sources of support.

It should be noted that one museum project of a consortial nature, directed to the formation of a computerized information system, is already under way. Known as the Museum Computer Network project, this undertaking (under the sponsorship of a representative group of institutions throughout the country) is laying the groundwork for the establishment of a national data bank of public art collections. The project, now in its second year, has already made substantial progress towards its announced objective of completing an intensive study leading to the design and implementation of the system envisioned. This work is proceeding under grants received from the New York State Council on the Arts and the Old Dominion Foundation. However, it is evident that studies of this nature cannot be pursued beyond a preliminary investigative stage without considerable financial help in excess of what the museum establishment can itself supply.

Once such studies are completed (which normally requires two years of comprehensive inquiry), funding would have to be provided to finance (1) the further technical development costs of such a system, (2) the eventual purchase of the required computer equipment and communications facilities, (3) the expense of assembling data over a period of several years during which this field activity would take place. In addition, monies will be eventually needed to subsidize the early years of the system's operations. If such a system were to embrace the full information resources of all museums in this country, its total cost of formation (exclusive of any operating subsidy or the funding of extensive communication facilities) could well exceed \$25 million.

It is apparent that the careful planning and experimental work which must be done in anticipation of any undertaking of this magnitude should soon be under way on a more ambitious scale than has as yet been possible. An urgent and present need of the museum establishments is, therefore, the means to support such studies as a preliminary step to projecting its eventual requirements in this critical and emerging area of information management. Such assistance should be made available at the earliest opportunity, so that the findings of these studies can shape far-reaching legislative measures which, it is hoped, will in time provide for the implementation of this vital program.

(NOTE.—The above information was prepared for the Report by Mr. Everett Ellin, Executive Director, Museum Computer Network, New York City.)

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

Mr. Chairman, I should like to point out that this bill was brought before the Subcommittee on Libraries and Memorials, and the subcommittee felt a very good case was presented.

I am quite enthused about the activities, for the most part, of the Smithsonian, and especially as they relate to this authorization.

In response to the question: "What

does the Smithsonian do?" I can testify that they have been involved in Iowa with people who are in the museum business. We have annually what we call the "Old Thrashers" which has grown to be one of the finest and the greatest shows of its type in the country. It is not tax supported at all. We could call on—and the people there, did call on, and I helped with this—the Smithsonian talent to help with the layout, to make certain suggestions on acquisitions and what they should take or should not take, and to make plans for the future. This is being done at a very small cost: The travel expense to Mount Pleasant and back for two representatives of the Smithsonian on one occasion. At other times they paid the expenses of other representatives who came here. Their advice and counsel is invaluable to the people in this kind of an institution.

Mr. Chairman, I have spoken generally on this subject before. Many of you know my interest in history. I find it always interesting to go to museums. When I do they invariably talk about the Smithsonian, and they are very happy with the group of people from the Smithsonian. So, in addition to those groups mentioned by the gentleman from New Jersey, I am sure that aspect of the archives museums and other museums in Iowa would endorse this kind of approach to solve the problem here, although this is not the complete solution. I think they have presented a good case for it, and I am very much in favor of it.

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

Mr. SCHWENGEL. Yes. I yield to the gentleman.

Mr. GROSS. The gentleman spoke of Mount Pleasant, Iowa, and about sending some bureaucrat out to help them in the museum there.

Mr. SCHWENGEL. It was not a bureaucrat.

Mr. GROSS. Who was he?

Mr. SCHWENGEL. A Government employee. I guess you could classify him as a bureaucrat, but I would not. He was very highly talented.

Mr. GROSS. Is not Mount Pleasant a center of the threshing machine exhibitions in the fall?

Mr. SCHWENGEL. Yes, it is.

Mr. GROSS. I wonder why we have not set up a department in Washington to teach Iowa farmers how to stage their exhibitions of threshing in the fall; how to run a grain separator and an old steam engine.

Mr. SCHWENGEL. Personally I think it was money very well spent and invested. It made possible a more adequate layout for visitors. It is true Mr. Dick Collins who was out there knew nothing about threshing. In that sense we taught him something about the Midwest, which I thought was very valuable for him to know.

Mr. GROSS. Would it not be pretty expensive to send a bureaucrat out to Mt. Pleasant, Iowa, just to teach him about an out-moded method of threshing?

Mr. SCHWENGEL. The round trip came to \$129 and the people out there took care of his lodging and his food, so it did not cost him or the Government anything for that.

Mr. GROSS. We have a museum at Waterloo, Iowa. To my knowledge, there has never been a bureaucrat out there to tell them how that privately endowed museum should be operated. I do not think you are justified in going from almost nothing in the way of an appropriation to \$1 million, and actually it can be \$4 million over the next 4 years. I am surprised that this suggestion would even be made to the Congress.

Mr. SCHWENGEL. Let me say this in answer to the Waterloo museum question. I am sure they have a lot of publications that have already been given to them by the Smithsonian which they will find very helpful. With the slight expansion of responsibilities in the area that we are getting into, this will be very helpful and, as a matter of fact, we are directed by law to do it.

Mr. GROSS. They probably get those without this kind of an appropriation.

Mr. THOMPSON of New Jersey. Will the gentleman yield?

Mr. SCHWENGEL. I will be glad to yield to the gentleman.

Mr. THOMPSON of New Jersey. This is more of a trek to Washington than it is to Iowa or elsewhere. Museum people, under the existing act, by the scores come to Washington for the technical assistance they need, whatever the nature of their museum.

I might say also that the maximum authorization under this legislation, which goes to the end of fiscal 1974, means it is an extension of 3 years and a maximum possible appropriation of \$3 million and not \$4 million.

Mr. FULTON of Pennsylvania. Will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman from Pennsylvania.

Mr. FULTON of Pennsylvania. We must remember that the Smithsonian Institution under the distinguished leadership of Dr. S. Dillon Ripley is one of the great cultural heritages not only of the United States but of the world. I class this institution along with the Library of Alexandria that was a repository for much of the ancient culture, and unfortunately it was a great loss to the whole world when it was destroyed.

I believe we need an emphasis in Government on our cultural distributions, which is what I would call this. We must emphasize that the culture we have is for the whole people and not just the people of Washington, D.C. When we look at the sum of \$1 million for each year and add up the \$3 million, that amounts to simply \$3 million for 204 million people.

And, that is about 200 people putting up \$1 to \$3 in a 3-year period which to me, no matter what State, it constitutes a small contribution on the part of the American people for our cultural advancement and progress.

Mr. Chairman, having been a member of the Board of Construction of the museum—and it is a joint committee—of history and technology at the Smithsonian, I have had some close contact

with that Institution in particular. Likewise, coming from Pittsburgh and having friends in the National Gallery of Art, I have had a particular interest in the Gallery and its exhibitions.

Mr. Chairman, one of the good things about the Smithsonian is that it is an activist institution and not a dull, dead collection of bums.

Mr. Chairman, this particular legislation is especially necessary so that we may be able to keep our young people as a part of the cultural scene and also keep the older ones who have leisure time to fill.

I might say to the members of the Committee of the Whole House on the State of the Union, I felt so strongly about the Andrew Mellon Gallery which was given by a citizen of Pittsburgh, Andrew Mellon, as a national gallery of art, that we in Pittsburgh raised, without cost to the Government, the funds for a fountain which now adorns the corner of Constitution and Pennsylvania Avenues. I think it is a wonderful benefit not only to the people of the Nation's Capital in Washington, D.C., but to everyone who comes here.

Mr. Chairman, one of the chief problems about our philosophy of life is the fact that we put too much emphasis on the bread and butter and getting the money and not enough on saving some room, a small portion of our lives for our cultural activities and heritage.

Mr. Chairman, I would agree with the gentlemen from Iowa that Iowa is a well-balanced State, but we do need more I would say to my good friend the gentleman from Iowa (Mr. SCHWENGEL), whose fine activities to preserve the history and advance the cultural heritage, not only of his State, but of our Nation. I compliment the gentleman from Iowa and the gentleman from New Jersey who is in charge of the bill.

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

Mr. SCHWENGEL. I yield to my colleague from Iowa.

Mr. KYL. Mr. Chairman, let me acquaint the gentleman with some of the facts of the great State of Iowa. Although it has one-fourth of all the class 1 agricultural land in the United States, I would point out to the gentleman from Pennsylvania that it has much more.

At the west end of the State there is a small city of fewer than 100,000 people which collects more public tax funds annually for culture than does the District of Columbia. The finest string quartet in the United States, I think without any question, today is that of the University of Iowa which plays before very approving critics in Washington, D.C., and elsewhere around the country.

The gentleman who just completed a tour of duty as Director of the National Symphony Orchestra is an Iowa boy who did other things too; he was also a golf champion in his youth.

The public school music education and art education in the State of Iowa is as good as that of any other State, and better than most of those States. And if the gentleman also wants to challenge the personal dedication to the cultural fields of either or any of the three gentlemen

from Iowa, I am sure that any of the three will on any occasion that he desires enter any kind of competition that he would name to show that in Iowa we are just as much or more education- and culture-conscious as is a person from any other State.

I might add further concerning education that the State which has the highest literacy rate of any of the States in the United States is the State of Iowa. Iowa is a great educational State, and a great cultural State.

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield further?

Mr. SCHWENGEL. I yield further to the gentleman from Pennsylvania.

Mr. FULTON of Pennsylvania. Mr. Chairman, my comments are not directed at Iowa. My comments are that I agree with the gentleman from Iowa (Mr. SCHWENGEL), that Iowa should advance in the arts, and he complimented Iowa on its cultural advances. I agreed with the gentleman, and I also agree with the gentleman that this bill should be passed.

The gentleman has misunderstood my remarks if for any reason he felt that I was criticizing the people of Iowa. No. I think they are fine and I think they have made fine cultural advances. So I would compliment the gentleman on defending his State. I think he has done a fine job. I am not criticizing the people of the State of Iowa, but I am advancing the premise that in addition to workaday matters we also, throughout the country, should emphasize our cultural heritage and support the Smithsonian Institution and this particular authorization.

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

Mr. SCHWENGEL. I yield to the gentleman from Michigan.

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

I simply want to make this observation: that I think it should be pointed out in the RECORD that this bill which was reported to the Committee of the Whole House, was reported from the Committee on House Administration on December 9, 1969, which is more than a year ago. It is curious that it has taken a full year to get this important piece of legislation before the Committee at this time.

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

Mr. SCHWENGEL. I will be glad to yield to the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. Mr. Chairman, the reporting date that the gentleman from Michigan (Mr. HUTCHINSON) has just recited, is accurate. The reason for the delay is that we planned to have—and we have had—extensive and very comprehensive hearings since that time relating to the Smithsonian Institution, as a result of which I think that we are much better prepared than we would have been to handle this bill.

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

Mr. SCHWENGEL. I yield to the gentleman from Indiana.

Mr. BRADEMÁS. Mr. Chairman, I thank the gentleman for yielding, and I

want to compliment the gentleman from New Jersey and the gentleman from Iowa on their leadership in bringing this bill to the floor today. I rise in support of the bill.

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

Mr. SCHWENGEL. I yield to the gentleman from Nebraska.

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

Mr. Chairman, I would like to point out to the gentleman from New Jersey that the Committee on Rules cleared this bill last March, which is over 6 months ago, so it could have been called up quite a number of days and weeks back before this date.

Mr. THOMPSON of New Jersey. Mr. Chairman, if the gentleman will yield, the gentleman from New Jersey might say this: that again that is a perfectly accurate statement. But does the matter of the chronological date have anything to do with the importance of the piece of legislation? I think not. We felt even after we had received a rule that we should have hearings on the Smithsonian Institution, so I do not apologize for falling to bring it up sooner, because I think we are much better equipped to handle it today than we would have been at that time.

Mr. SCHWENGEL. I have nothing further to say except to thank the gentleman from Iowa (Mr. KYL) for his eloquent statement of Iowa's dominance and prominence in the field of the arts and humanities.

I would like to say that if you overlook people like Grant Wood and Bix Beiderbeck and a few people like that—I will at some future date take advantage of an opportunity to put a more complete record of Iowa's achievements in this area.

I should like to say in closing that one of the reasons Iowa has eminence in this area is because they have called on the best talent in the world. Whenever they could get help from anywhere else and learn, they did that. Often—very often, they not only call on the Smithsonian but on the National Gallery of Art here. And so, because we have had these interests and these desires and because of the type of people we have in our State we have been able to make a great contribution in this field.

Mr. Chairman, I hope that the House passes this bill.

Mr. Chairman, this bill, H.R. 13956, would authorize additional appropriations for the purpose of carrying out the National Museum Act of 1966.

Under the Museum Act the Smithsonian Institution is assigned by law with performing a wide range of duties in support of museums in the United States and abroad.

The National Museum Act, which reaffirmed the Smithsonian's traditional role in the area of serving museums, establishes those duties as follows:

First, cooperate with museums and their professional organizations in a continuing study of museum problems and opportunities, both in the United States and abroad;

Second, prepare and carry out programs for training career employees in museum practices in cooperation with museums and their professional organizations, wheresoever these may best be conducted;

Third, prepare and distribute significant museum publications;

Fourth, perform research on, and otherwise contribute to, the development of museum techniques;

Fifth, cooperate with departments and agencies of the Government of the United States operating, assisting, or otherwise concerned with museums; and

Sixth, report annually to the Congress on progress in these activities.

The act authorized a total of \$1 million to be appropriated over the 4-year period from fiscal year 1968 through fiscal year 1971. Though requests for the funds have been made, practically no funding has been provided. During the first 2 years no funds were appropriated at all. In fiscal year 1970 \$40,000 was appropriated and in fiscal year 1971 \$32,000 was appropriated.

Even though it has received only limited appropriations to carry out its duties under the Museum Act, the Smithsonian nevertheless has provided valuable help such as making expert advice, guidance training, and other forms of assistance available to museums here and abroad. This includes such activities as providing advice on how to organize or reorganize museums, counseling on where museums should be placed, participating in museum workshops, publishing manuals, and so forth. During Hurricane Camille last year the Smithsonian supplied skilled and expert assistance to help salvage exhibits in a museum in Biloxi, Miss. It provided assistance during the occasion of the flood in Florence, Italy, several years ago. There are but a few examples of the hundreds of requests the Smithsonian receives for assistance.

The purpose of H.R. 13956 is to continue the authorization of appropriations to carry out the Museum Act. The authorization would be limited to \$1,000,000 annually through fiscal year 1974.

I believe that it is important to the best interests of our Nation that we support the effort to promote a vigorous museum support program. The Smithsonian is an outstanding institution and is in a unique position to render valuable assistance to help advance the quest for knowledge and understanding throughout the land. We will all benefit. I urge enactment of H.R. 13956.

Mr. BRADEMAS. Mr. Chairman, I rise in support of H.R. 13956, a measure which would extend the authorization for the National Museum Act through fiscal 1974. I wish to commend the distinguished sponsor of this bill, the gentleman from New Jersey (Mr. THOMPSON) to whom all persons who serve museums and benefit from them owe so much for his leadership in this field.

Mr. Chairman, America's museums are presently experiencing a severe financial crisis, in part because of their extraordinary popularity. Museum attendance during the last three decades has increased more than tenfold—from 50 mil-

lion visitors in 1940, to 200 million in 1960, to 560 million in 1967. Along with the increased attendance has come an increased demand for new services. Today hundreds of thousands of schoolchildren participate in museum visits; millions of youngsters and adults attend classes and use their facilities.

In addition, Mr. Chairman, museums play an essential role in serving the needs of scholars engaged in research at the college and university level. Dr. George Lindsay, director of the California Academy of Sciences, said in testimony before the Select Education Subcommittee last summer:

Natural history museums contain at least 80 percent of all the research collections in the United States. While some of the museums are at universities, most are not. Still, the collections are necessary for the studies of advanced graduate students. The entomology department of my institution loaned 74,204 specimens last year, to 69 institutions and 170 individuals, most of them graduate students in 23 of the United States and eight foreign countries. This is a service to education and to science for which there was not direct reimbursement.

Mr. Chairman, it is clear that museums are not merely repositories of our national treasures. They are, in fact, educational institutions, and they should be entitled to the benefits accruing to educational institutions as recipients of Federal funds.

Indeed, the Belmont report, a comprehensive study of America's museums requested by President Johnson, made much the same point in one of its major recommendations to the President in November 1968 when it urged "that the Federal Government, as a matter of basic policy, recognize museums as educational institutions, working in formal affiliation with elementary, secondary, undergraduate, and graduate level institutions."

Mr. Chairman, the National Museum Act does not accomplish the goal suggested by the Belmont report, but it is a very important first step toward a formal recognition of the role museums play in American society. It enables the Smithsonian Institution to assist museums to improve the professionalism and competence of their employees, to perform research in techniques of museum operation, and to provide technical assistance, consultation, and advice on a variety of problems confronted by museums.

Mr. Chairman, the proposed extension of the National Museum Act would provide \$1,000,000 a year for these purposes from fiscal 1971 through fiscal 1974. This very modest sum is a small investment indeed in the future of America's museums. I trust that it will be approved and that the Appropriations Committee will allow it to be fully funded.

The National Museum Act charges the Smithsonian Institution with the responsibility of aiding the Nation's museums to meet their most urgent problems. Over the past years, appropriations have not been sufficient to allow them to carry out their responsibility. We anticipate, however, that when the act receives adequate funding, the Smithsonian will meet its obligations to America's museums.

I urge the passage of this legislation.

Mr. SCHWENGEL. Mr. Chairman, I yield back the balance of the time on this side.

Mr. THOMPSON of New Jersey. Mr. Chairman, I have no further requests for time.

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

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2(b) of the Act of October 15, 1966 (80 Stat. 953; 20 U.S.C. 65a) is amended to read:

"(b) There are hereby authorized to be appropriated to the Smithsonian Institution such sums as may be necessary to carry out the purposes of this Act: *Provided*, That no more than \$1,000,000 shall be appropriated annually through fiscal year 1974."

AMENDMENT OFFERED BY MR. KYL

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

The Clerk read as follows:

Amendment offered by Mr. KYL: Amend lines 5 through 9, page 1, to read:

"(b) There are hereby authorized to be appropriated to the Smithsonian Institution for the purpose of this Act \$250,000 for each fiscal year ending prior to July 1, 1974, and in each subsequent fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law."

Mr. KYL. Mr. Chairman, as long as we are engaged in omphaloskepsis here this afternoon I thought we might try to improve this bill a little bit.

Let me make a couple of prefatory remarks.

First, I would never knowingly injure or diminish the Smithsonian Institution in any way. I acknowledge its contribution, its collections and its intellectual and esthetic pursuits completely. But we are dealing here not with regular activities of the Smithsonian Institution but with a special activity which we have given to that Institution, in other words the administration of the National Museum Act.

I rather appreciate too, I will say in parenthetical fashion, that I appreciate the gentleman from Pennsylvania giving us an opportunity to speak here on the floor about Iowa's Carl King and Meredith Wilson and Grant Wood and McKinley Cantor. I would point out that even that great composer Antonin Dvorak come to Spillville, Iowa, to get inspiration for the New World Symphony.

But getting back to this matter—the matter of this amendment, this is all we are asking you to do.

The most we have ever appropriated for this function, the National Museum Act, is \$40,000 a year.

In another year we appropriated \$32,000. And in the 2 first years we appropriated nothing.

Now all this amendment does is to ask you to reduce the authorization from \$1 million to \$250,000 which is six times plus more than we have ever appropriated for the purpose. And to make sure there is not any open-ended appropriation attached at all may I say I think we have an obligation even in this silly season of the year to be a little honest. Why tell the Smithsonian that they will have a

\$1 million a year to operate the National Museum program if they are going to get \$40,000 or \$32,000 or less.

The people who are bringing this bill to the floor cannot honestly believe that they are going to get a \$1 million a year appropriation. Why do we continually fool the public and the institutions with these authorizations for far more than they will ever get? I think it is completely reasonable to set this authorization at \$250,000 a year, especially, I repeat once more, in view of the fact that until this time we have never actually appropriated more than \$40,000? And I repeat this, too: If I thought this would injure the Smithsonian Institution's program one tiny bit or give them one penny less than they need to administer the National Museum Act, I would not be asking for this action.

I yield back the balance of my time.

The CHAIRMAN. For what purpose does the gentleman from New Jersey rise?

Mr. THOMPSON of New Jersey. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from New Jersey is recognized.

Mr. THOMPSON of New Jersey. Mr. Chairman, during the hearings in 1969 on this legislation, and subsequently as developed in the Belmont Report, the Secretary of the Smithsonian Institution, Dr. Dillon Ripley, a highly respected, extremely able man, repeatedly asked for an authorization of \$1 million. The relationship between \$1 million and \$250,000 vis-a-vis the appropriation of no more than \$40,000 I think is irrelevant.

I might point out to the gentleman from Iowa, not having had a copy of this amendment before, that the bill as drafted prevents it from being open-ended, and the amendment of the gentleman from Iowa—listen to it—open ends it: "\$250,000 for each fiscal year prior to July 1, 1974." Then your amendment goes on to say, "and in each subsequent fiscal year only such sums may be appropriated as the Congress may hereafter authorize by law." You open it up. You turn it over to the Committee on Appropriations without bringing it back here.

Mr. Chairman, I oppose the gentleman's amendment. I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa (Mr. KYL).

The question was taken; and on a division (demanded by Mr. KYL) there were—ayes 20, noes 29.

So the amendment was rejected.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the Chair, Mr. HAMILTON, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 13956) to amend the act of October 15, 1966 (80 Stat. 953; 20 U.S.C. 65a), relating to the National Museum of the Smithsonian Institution, so as to authorize additional appropriations to the Smithsonian Institution for carrying out the purposes of said act, pur-

suant to House Resolution 878, he reported the bill back to the House.

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

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

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

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

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

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

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

The question was taken; and there were yeas 215, nays 53, answered "present" 3, not voting 163, as follows:

[Roll No. 405]

YEAS—215

Adair	Foley	Miller, Calif.
Adams	Ford, Gerald R.	Minish
Albert	Ford,	Mink
Alexander	William D.	Minshall
Anderson,	Foreman	Mollohan
Calif.	Forsythe	Monagan
Anderson, Ill.	Frelinghuysen	Moorhead
Andrews, Ala.	Frey	Morse
Andrews,	Friedel	Mosher
N. Dak.	Fulton, Pa.	Murphy, Ill.
Annunzio	Galifianakis	Natcher
Ashley	Garmatz	Nedzi
Bennett	Gibbons	Obey
Biester	Goldwater	O'Hara
Blanton	Gonzalez	Olsen
Elatnik	Green, Oreg.	O'Neal, Ga.
Boggs	Griffiths	Passman
Boland	Gude	Patman
Brademas	Halpern	Patten
Brinkley	Hamilton	Pelly
Brotzman	Hammer-	Perkins
Brown, Calif.	schmidt	Pettis
Brown, Mich.	Hanley	Pickle
Brown, Ohio	Hanna	Pirnie
Broyhill, N.C.	Harvey	Poage
Broyhill, Va.	Hastings	Podell
Buchanan	Hathaway	Poff
Burke, Mass.	Hechler, W. Va.	Preyer, N.C.
Burleson, Tex.	Heckler, Mass.	Price, Ill.
Burton, Calif.	Helstoski	Quillen
Bush	Hicks	Railsback
Byrne, Pa.	Hogan	Rees
Byrnes, Wis.	Hollifield	Reid, Ill.
Cabell	Horton	Rhodes
Carter	Hosmer	Riegle
Casey	Howard	Robison
Chamberlain	Ichord	Rodino
Clausen,	Jacobs	Roe
Don H.	Jarman	Rogers, Fla.
Cleveland	Johnson, Calif.	Rooney, Pa.
Cohelan	Jones, Ala.	Roth
Conte	Jones, Tenn.	Roybal
Conyers	Kastenmeier	Ruppe
Corman	Kazen	Ryan
Coughlin	Kleppe	Scheuer
Crane	Kyl	Schwengel
Culver	Kyros	Shriver
Daniels, N.J.	Leggett	Sisk
Davis, Ga.	Lennon	Skubitz
Delaney	Long, Md.	Smith, Calif.
Dellenback	Lowenstein	Smith, Iowa
Derwinski	McCloskey	Smith, N.Y.
Dickinson	McDonald,	Springer
Dorn	Mich.	Stafford
Downing	McEwen	Stokes
Dulski	McFall	Stratton
Duncan	McMillan	Stubblefield
Eckhardt	Macdonald,	Sullivan
Edwards, Ala.	Mass.	Symington
Edwards, Calif.	MacGregor	Talcott
Ellberg	Mahon	Taylor
Erlenborn	Mailliard	Teague, Calif.
Esch	Marsh	Thompson, Ga.
Fascell	Mathias	Thompson, N.J.
Feighan	Matsunaga	Tiernan
Findley	Mayne	Tunney
Flood	Melcher	Udall
Flowers	Mikva	Ullman

Vander Jagt
Vanik
Vigorito
Waldie
Wampler
Watts

Whalen
White
Whitten
Widnall
Wiggins
Wilson, Bob

Winn
Wright
Wyman
Yatron
Young
Zablocki

NAYS—53

Belcher
Berry
Betts
Bevill
Burke, Fla.
Burlison, Mo.
Cederberg
Clawson, Del.
Collins, Tex.
Colmer
Daniel, Va.
de la Garza
Dennis
Fisher
Flynt
Goodling
Griffin
Gross

Grover
Haley
Harsha
Henderson
Hull
Hunt
Hutchinson
Johnson, Pa.
Jonas
Landgrebe
Lloyd
McClure
Martin
Miller, Ohio
Mills
Mizell
Montgomery
Myers

ANSWERED "PRESENT"—3

Earing
Bow
Rooney, N.Y.

NOT VOTING—163

Abbutt
Abernethy
Addabbo
Anderson, Tenn.
Arends
Ashbrook
Aspinall
Ayres
Barrett
Beall, Md.
Bell, Calif.
Biaggi
Bingham
Blackburn
Bolling
Brasco
Bray
Brock
Brooks
Broomfield
Burton, Utah
Button
Caffery
Camp
Carey
Carney
Celler
Chappell
Chisholm
Clancy
Clark
Clay
Collier
Collins, III.
Conable
Corbett
Cowger
Cramer
Cunningham
Daddario
Davis, Wis.
Denney
Dent
Devine
Diggs
Dingell
Donohue
Dowdy
Dwyer
Edmondson
Edwards, La.
Eshleman
Evans, Colo.
Evins, Tenn.

Fallon
Farbstein
Fish
Fountain
Fraser
Fulton, Tenn.
Fuqua
Gallagher
Gaydos
Gettys
Gialmo
Gilbert
Green, Pa.
Gubser
Hagan
Hall
Hansen, Idaho
Hansen, Wash.
Harrington
Hawkins
Hays
Hébert
Hungate
Jones, N.C.
Karth
Kee
Keith
King
Kluczynski
Koch
Kuykendall
Landrum
Langen
Latta
Long, La.
Lujan
Lukens
McCarthy
McClory
McCulloch
McDade
McKneally
Madden
Mann
May
Meeds
Meskill
Michel
Mize
Morgan
Morton
Moss
Murphy, N.Y.
Nix

O'Konski
O'Neill, Mass.
Ottinger
Pepper
Philbin
Pike
Pollock
Powell
Pryor, Ark.
Pucinski
Purcell
Quile
Randall
Reid, N.Y.
Reifel
Reuss
Rivers
Roberts
Rogers, Colo.
Rosenthal
Rostenkowski
Roudebush
Rousset
St Germain
Saylor
Scherle
Schneebell
Shipley
Sikes
Snyder
Staggers
Steele
Stephens
Stuckey
Taft
Teague, Tex.
Van Deerlin
Waggonner
Ware
Watson
Welcker
Whalley
Whitehurst
Williams
Wilson,
Charles H.
Wold
Wolff
Wyatt
Wydler
Wyllie
Yates
Zion

Mr. Abbutt with Mr. Quile.
Mr. Abernethy with Mr. Snyder.
Mr. Aspinall with Mr. Corbett.
Mr. Celler with Mr. Diggs.
Mr. Mann with Mr. Broomfield.
Mr. Madden with Mr. Nix.
Mr. Brasco with Mr. Ayres.
Mr. Addabbo with Mr. Bell of California.
Mr. Teague of Texas with Mrs. Dwyer.
Mr. Charles H. Wilson with Mr. Beall of Maryland.
Mr. Wolff with Mr. Clay.
Mr. Pepper with Mr. Michel.
Mr. Evins of Tennessee with Mr. Mize.
Mr. Koch with Mr. Hawkins.
Mr. Shipley with Mr. Saylor.
Mr. Sikes with Mr. Schneebell.
Mr. Rostenkowski with Mr. Steele.
Mr. Green of Pennsylvania with Mr. Ware.
Mr. Gray with Mr. Fish.
Mr. Fulton of Tennessee with Mr. Williams.
Mr. Fountain with Mr. Zion.
Mr. Edmondson with Mr. Camp.
Mr. Clark with Mrs. Chisholm.
Mr. Carey with Mr. Reid of New York.
Mr. Brooks with Mr. Bray.
Mr. Biaggi with Mr. Brock.
Mr. Reuss with Mr. Button.
Mr. Rivers with Mr. King.
Mr. Fuqua with Mr. Langen.
Mr. Gallagher with Mr. Blackburn.
Mr. Gettys with Mr. Roudebush.
Mr. Roberts with Mr. Conable.
Mr. Gaydos with Mr. O'Konski.
Mr. St Germain with Mr. Clancy.
Mr. Staggers with Mr. Lujan.
Mr. Kee with Mr. Reifel.
Mr. Kluczynski with Mr. McKneally.
Mr. Van Deerlin with Mr. Lukens.
Mr. Yates with Mr. Kuykendall.
Mr. Anderson of Tennessee with Mr. Ashbrook.
Mr. Caffery with Mrs. May.
Mr. Chappell with Mr. Scherle.
Mr. Dent with Mr. Watson.
Mr. Evans of Colorado with Mr. Wold.
Mr. Gialmo with Mr. Eshleman.
Mr. Hogan with Mr. Davis of Wisconsin.
Mrs. Hansen of Washington with Mr. Conyers.
Mr. Harrington with Mr. Rousset.
Mr. Pike with Mr. Cramer.
Mr. Pryor of Arkansas with Mr. Collins of Texas.
Mr. Randall with Mr. Hall.
Mr. Pucinski with Mr. Denney.
Mr. Moss with Mr. Welcker.
Mr. Morgan with Mr. Wylie.
Mr. Meeds with Mr. Hansen of Idaho.
Mr. Murphy of New York with Mr. Whitehurst.
Mr. Landrum with Mr. Pollock.
Mr. Hungate with Mr. Morton.
Mr. Purcell with Mr. McClory.
Mr. Rosenthal with Mr. McCulloch.
Mr. Steed with Mr. Latta.
Mr. Stephens with Mr. Meskill.
Mr. Barrett with Mr. Cunningham.
Mr. Carney with Mr. Wyatt.
Mr. Bingham with Mr. Daddario.
Mr. Rogers of Colorado with Mr. McCarthy.
Mr. Stuckey with Mr. Gilbert.
Mr. Fraser with Mr. Farbstein.
Mr. Fallon with Dowdy.
Mr. Dingell with Mr. Ottinger.
Mr. Karth with Mr. Powell.

of the Smithsonian Institution, so as to authorize additional appropriations to the Smithsonian Institution for carrying out the purposes of said act, and ask for immediate consideration of the Senate bill.

The Clerk read the title of the Senate bill.

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

There was no objection.
The Clerk read the Senate bill, as follows:

S. 704

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2(b) of the National Museum Act of 1966 (80 Stat. 953) is amended to read as follows:

"(b) (1) There are hereby authorized to be appropriated to the Smithsonian Institution for the purposes of this Act \$1,000,000 for the fiscal year ending June 30, 1972, and the same amount for each succeeding fiscal year ending prior to July 1, 1974, and in each subsequent fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law.

"(2) In addition to the sums authorized in paragraph (1) there are hereby authorized to be appropriated \$300,000 for the fiscal year ending June 30, 1972, and the same amount for each succeeding fiscal year ending prior to July 1, 1974, to be allocated and used as follows:

"(A) of the sums appropriated pursuant to this paragraph (2), 33 1/3 per centum shall be available for the purposes of clause (2) of subsection (a);

"(B) of such sums, 33 1/3 per centum shall be available for transfer to the National Foundation on the Arts for assistance to museums under section 5(c) of the National Foundation on the Arts and Humanities Act of 1965; and

"(C) of such sums, 33 1/3 per centum shall be available for transfer to the National Foundation on the Humanities for assistance to museums under section 7(c) of the National Foundation on the Arts and Humanities Act of 1965."

ADDITIONAL MUSEUM ACTIVITIES

SEC. 2. (a) Section 2(a) (2) of the National Museum Act of 1966 (20 U.S.C. 65a(2)) is amended to read as follows:

"(2) prepare and carry out programs by grant, contract, or directly for training career employees in museum practices in cooperation with museums, their professional organizations, and institutions of higher education either at the Smithsonian Institution or at the cooperating museum, organization, or institution;"

(b) So much of that part of subsection (a) of section 2 of the National Museum Act of 1966 as precedes clause (1) is amended by striking out everything preceding "Secretary" and inserting in lieu thereof "The"

MOTION OFFERED BY MR. THOMPSON OF NEW JERSEY

Mr. THOMPSON of New Jersey. Mr. Speaker, I offer a motion.

The SPEAKER. The Clerk will report the motion.

The Clerk read as follows:

Mr. THOMPSON of New Jersey moves to strike out all after the enacting clause of the bill S. 704 and insert in lieu thereof the provisions contained in the bill H.R. 13956, as passed by the House.

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

So the bill was passed.
The Clerk announced the following pairs:
Mr. Hays with Mr. Devine.
Mr. Waggonner with Mr. Collier.
Mr. Hébert with Mr. Arends.
Mr. O'Neill of Massachusetts with Mr. Wylder.
Mr. Philbin with Mr. McDade.
Mr. Donohue with Mr. Gubser.
Mr. Edwards of Louisiana with Mr. Whalley.
Mr. Long of Louisiana with Mr. Keith.
Mr. Jones of North Carolina with Mr. Burton of Utah.

Mr. CRANE changed his vote from "nay" to "yea."
The result of the vote was announced as above recorded.
The doors were opened.
A motion to reconsider was laid on the table.
Mr. THOMPSON of New Jersey. Mr. Speaker, I ask unanimous consent to take from the Speaker's table a similar Senate bill (S. 704) to amend the act of October 15, 1966 (80 Stat. 953; 20 U.S.C. 65a), relating to the National Museum

A similar House bill (H.R. 13596) was laid on the table.

APPOINTMENT OF CONFEREES

Mr. THOMPSON of New Jersey. Mr. Speaker, I ask unanimous consent that the House insist on its amendment to the bill S. 704 and request a conference with the Senate thereon.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey? The chair hears none, and appoints the following conferees: Messrs. THOMPSON of New Jersey, BRADEMANS, and SCHWENDEL.

GENERAL LEAVE TO EXTEND

Mr. THOMPSON of New Jersey. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the bill just passed.

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

There was no objection.

COMMUNICATION FROM THE CHAIRMAN OF THE COMMITTEE ON PUBLIC WORKS

The SPEAKER laid before the House the following communication from the chairman of the Committee on Public Works; which was read and referred to the Committee on Appropriations:

DECEMBER 9, 1970.

HON. JOHN W. MCCORMACK,
*The Speaker, U.S. House of Representatives,
the Capitol, Washington, D.C.*

DEAR MR. SPEAKER: Pursuant to the provisions of the Public Buildings Act of 1959, the Committee on Public Works of the House of Representatives on December 2, 1970, approved the following public building project: Federal Office Building, Santa Rosa, California (Construction).

Sincerely yours,

GEORGE H. FALLON,
Chairman.

LEGISLATIVE PROGRAM

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

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

Mr. ALBERT. Mr. Speaker, will the distinguished minority leader yield?

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

Mr. ALBERT. Mr. Speaker, we have finished the business for this week except for unanimous-consent requests which may be made.

The program for next week is as follows, and we are listing all the bills under Monday and the balance of the week to retain as much flexibility as possible:

Monday is District day, and there are four district bills, as follows:

H.R. 19885, District of Columbia Revenue Act of 1970;

S. 1626, to regulate the practice of

psychology in the District of Columbia; S. 2336, relating to the Protestant Episcopal Church in the District of Columbia; and

H.R. 2745, to amend the law relating to obscenity in the District of Columbia.

Following the District bills, we have several others. May I say, we will probably have a conference report on one of the appropriation bills also. The bills are as follows:

H.R. 18874, Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act of 1970, with an open rule providing 1 hour of debate;

H.R. 19860, Emergency Health Personnel Act of 1970, with an open rule providing 2 hours of debate;

H.R. 18582, to amend the Food Stamp Act of 1964, with an open rule providing 2 hours of debate;

Tuesday is Private Calendar day;

H.R. 19567, International Coffee Agreement Act, with an open rule providing 1 hour of debate;

House Resolution 1238, relating to the Speaker of the House of Representatives in the 91st Congress, subject to a rule being granted;

H.R. 19446, Emergency School Aid Act of 1970, subject to a rule being granted;

S. 578, retirement for Federal fire-fighting personnel, subject to a rule being granted; and

House Joint Resolution 1146, expansion of United National Headquarters in the United States, which is subject to a rule being granted.

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.

Of course, we expect to have several conference reports next week.

Mr. Speaker, in addition, the distinguished chairman of the Committee on Ways and Means, the gentleman from Arkansas (Mr. MILLS) has advised that he will undertake to call up on some day next week 15 bills which have been unanimously reported by the Committee on Ways and Means.

I ask unanimous consent that a list of these bills may be printed in the RECORD at this point.

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

There was no objection.

The bills are as follows:

H.R. 7626, tariff classification of certain sugars, sirups, and molasses;

H.R. 10875, duty-free importation of upholstery regulators, upholsterer's regulating needles, and upholsterer's pins;

H.R. 14233, to modify ammunition recordkeeping requirements;

H.R. 14995, free entry of a carillon for the University of California at Santa Barbara;

H.R. 17658, to provide floor stock refunds in the case of cement mixers;

H.R. 17984, to amend section 905 of the Tax Reform Act of 1969, relating to redemption of stock;

H.R. 19113, free entry of cast bell carillons for Indiana University, Bloomington, Ind.

H.R. 19369, to amend section 165(g) of the Internal Revenue Code of 1954, relating to treatment of losses on worthless securities;

H.R. 19391, administrative review of customs decisions;

H.R. 19470, to amend title XVIII of the Social Security Act to modify the nursing service requirement, and so forth;

H.R. 19526, to eliminate the duty now applicable to natural rubber containing fillers, extenders, and so forth;

H.R. 19670, suspension of duties on certain bicycle parts and accessories until the close of December 31, 1973;

H.R. 19790, relating to the income tax treatment of certain sales of real property by a corporation;

H.R. 19915, to make permanent the "\$4 pass-through" for public assistance recipients;

S. 2984, to permit certain Federal employment to be counted toward retirement.

Mr. ALBERT. Mr. Speaker, the chairman of the Committee on Ways and Means has also advised that additional bills which have been favorably reported unanimously may be added to the list as reports are filed on these bills.

REQUEST FOR ADJOURNMENT TO 11 O'CLOCK ON MONDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next at 11 o'clock.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, why should the House come in at 11 o'clock on Monday next?

Mr. ALBERT. Mr. Speaker, if the gentleman will yield, we will try to finish as much of the business as possible as quickly as possible. That is reason No. 1.

Reason No. 2 is we have been advised that the White House is having receptions for Members on Monday and Tuesday at 5 o'clock, and we would like to complete as much business as possible and to accommodate those Members who have been invited.

Mr. GROSS. That will interfere with the work of the House in trying to close out this lame duck session. Is that correct?

Mr. ALBERT. I would think that it would not interfere substantially with the work of the House if we come in early next Monday.

Mr. GROSS. Not that it would mean a great deal, but I could go down the list of bills on the program here and suggest to the gentleman how the leadership could abbreviate this session very quickly. I will not take the time of the House to do it, and the Members probably would not accept my suggestion anyway.

I suggest to the distinguished majority leader that the only way to end this session is to reduce this hopeless list of bills for next week which does not include the conference reports that will come in and other bills that do not appear on the surface. That is the only way that this session can be ended.

Mr. Speaker, I am also constrained to object to coming in at 11 o'clock on Monday because I believe that it will only lead to more bills coming in. If I was convinced an early meeting of the House would help to end the session I would gladly concur in an 11 o'clock meeting on Monday next, or even 10 o'clock or 9 o'clock, but I know that the more time this House spends in session the more—figuratively speaking—legislative “cats and dogs” we will get before the session ends.

Mr. Speaker, I do object to coming in at 11 o'clock on Monday next.

The SPEAKER. The Chair did not hear the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I object to coming in at 11 o'clock on Monday next.

The SPEAKER. Objection is heard.

ADJOURNMENT OVER TO MONDAY NEXT

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?

Mr. GROSS. Mr. Speaker, reserving the right to object, the request is to meet on Monday next, but at what hour?

Mr. ALBERT. At noon. That is the regular meeting hour of the House.

Mr. GROSS. Yes; but the gentleman did not state the regular meeting hour, and in view of the discussion just had I wanted to be sure.

The SPEAKER. The House has determined that by a rule of the House.

Mr. GROSS. Mr. Speaker, I withdraw my reservation.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

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

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

There was no objection.

AUTHORIZING CLERK TO RECEIVE MESSAGES FROM THE SENATE AND SPEAKER TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS DULY PASSED

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that notwithstanding the adjournment of the House until Monday next the Clerk be authorized to receive messages from the Senate and that the Speaker be authorized to sign any enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

The SPEAKER. Is there objection to

the request of the gentleman from Oklahoma?

There was no objection.

PERSONAL ANNOUNCEMENT

Mr. ADAMS. Mr. Speaker, on rollcall No. 403 I was unavoidably detained. If I had been present I would have voted “yea.” That was on the rule on the excise tax extension bill.

GROWING DISREGARD FOR TRADITIONAL CONCEPT OF DIPLOMATIC IMMUNITY

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

Mr. SYMINGTON. Mr. Speaker, over the past year we have been greatly disturbed by the worldwide growing disregard for the traditional concepts of diplomatic immunity by those who would flaunt the principle in order to achieve political objectives. In a resolution offered last year, I suggested measures which, if adopted, might render diplomatic harassment less likely. As a former member of the State Department staff, I was particularly concerned for the orderly conduct of diplomatic relations. But we should now be equally concerned over the possible effect of blackmail threats on the orderly administration of our domestic laws. For this reason I wrote Mr. ALBERT, the majority leader, on December 3 enclosing a draft which I suggested he might wish to discuss with the gentleman from Michigan (Mr. GERALD R. FORD), as the basis for a joint resolution giving notice that the President and other officers of the Federal executive branch would enjoy the support of a unified Congress in responding to any such threat of blackmail that might arise. The majority leader has graciously replied that he has done so. In order for the other House Members to have an opportunity to consider the matter, I have appended my letter and draft resolution hereinbelow.

DECEMBER 3, 1970.

The Honorable CARL ALBERT,
Majority Leader, U.S. House of Representatives.

DEAR CARL: The recent tragic events in Canada following upon other like events in Latin America demonstrate the intolerable strains which can be placed on the orderly administration of justice within democratic societies. It could happen here, of course. On the one hand, we should not wish to tie the President's hands in a crisis of this kind. On the other, no would-be revolutionary should be encouraged to believe this sort of tactic will succeed.

It was my thought that some kind of joint resolution by Congress might serve as an appropriate warning. No one can anticipate the scope of revolutionary demands of the depths of depravity embraced to attain their realization. But it does seem certain that should the President or other executive officer receive a blackmail threat of this kind he will need the backing of a unified Congress.

A resolution of the kind attached, while not binding, would be supportive of the kind of hard decision Trudeau felt obliged to make. More importantly, to have it in advance should serve, at least to a larger extent than silence, as a deterrent to such des-

perate action. It does not affect State Governors, although it may present a useful precedent.

I thought that if you saw any merit in the resolution, or one with similar intent, you might wish to discuss it with Mr. Ford for possible joint introduction.

Best wishes,

JAMES W. SYMINGTON.

DRAFT RESOLUTION ON PROTECTION OF DUE PROCESS FROM BLACKMAIL

Whereas the security and stability of all democratic societies require the calm and orderly administration of their laws, and

Whereas the traditions of order, law, and justice of democratic societies have been gravely tested by persons and groups seeking to derive political or other advantage from threats or acts of violence including, but not limited to kidnapping and murder, and

Whereas it is the concern of the Congress that American Constitutional due process, which belongs to all the people, must not be waived in whole or in part to accommodate any individual, and

Whereas it is of vital importance that no individual or group believe that due process of law can be so waived or circumvented by threats of injury to innocent persons or damage to property.

Therefore, be it resolved that it is the sense of the Congress that no official charged with the execution of federal laws shall subordinate the appropriate administration of such laws to the demand of any individual or group whether or not such demands are reinforced by threat of injury or death to third parties or destruction of property.

Mr. ALBERT. Mr. Speaker, I have listened with great interest and some knowledge of the matter discussed by our colleague the gentleman from Missouri (Mr. SYMINGTON). On December 3 Mr. SYMINGTON wrote me and enclosed a copy of a proposed resolution dealing with the subject of executive reaction to the type of kidnaping and murder which has plagued the world during recent months. I sent the letter and draft of resolution to our distinguished minority leader, the gentleman from Michigan (Mr. GERALD R. FORD), for his consideration. I compliment the gentleman from Missouri in being the first, so far as I have been able to ascertain, to suggest policy of this nature in this very important area.

THIRTY-THIRD SESSION OF INTER-GOVERNMENTAL COMMITTEE FOR EUROPEAN MIGRATION

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

Mr. DENNIS. Mr. Speaker, I recently had the privilege of representing the Judiciary Committee at the 33d session of the Intergovernmental Committee for European Migration in Geneva, Switzerland.

ICEM, a 33-member government international organization, has resettled 1.8 million refugees and migrants since it was established under the initiation of the United States in 1951.

At the 33d session, particular emphasis was placed upon the program for movement of specialized, technically qualified persons to Latin America to meet the needs of that rapidly developing area. Plans were also made for special recog-

dition of the 20th anniversary of ICEM in 1971.

I was impressed with the qualifications, personality, and leadership exhibited by the Director of ICEM, Mr. John F. Thomas, of the United States. For the information of all Members, I commend the opening statement made to the Council by Mr. Thomas in which he reviewed the activities of ICEM during the past year and its future plan of operations. His statement follows:

OPENING STATEMENT BY THE DIRECTOR,
MR. JOHN F. THOMAS

Mr. Chairman, Ladies and Gentlemen: Let me congratulate you, sir, and the other officers who have been elected to carry forward the work of the Council this session. I am certain that the results of the Council session will be fruitful under your competent guidance. I would like also to welcome the delegates and observers who have come from far-off places to join us in our deliberations, which have far-reaching humanitarian values. I would also like to say how pleased I am that I can continue my long association with Mr. Masselli now in his new post as Deputy Director.

Under the current policy of holding only one Council session per year, this session has grown in importance and significance. It is worthwhile to note that it brings together not only the representatives of government but also friends from the non-governmental organizations, the press, other international organizations and the general public.

I should like now to review, briefly, some of the highlights of my stewardship over the past year.

On the question of the structure of the organization, you received last November a plan for reducing and streamlining it, after a period of transition. Transition periods are always difficult because we have to consider the interests of the individual staff member, those of the organization and the wishes of governments. I can now report that the transition period came to an end on 1 October and 1971 will be the first year we shall operate with the new structure. I shall continue to review the staff pattern of the organization in order to achieve streamlining and economies, and ensure that ICEM operates efficiently at the least possible cost.

At the last Council session you further considered and approved a new contribution scale for the Administrative Budget. It was applied for the current year and has worked well, and a thorny problem which has been with us for several years has thereby been solved. I think it is justified once more to express our appreciation to the Working Group for achieving an excellent result. I also feel a deep gratitude towards all the Governments which so readily accepted the new scale.

Last November you also decided to establish a Working Group to develop plans for the financing of the two sections of the budget which have been in deficit for several years. The Working Group met in March and September and developed model schedules for the Refugee and Latin American sections. It was most encouraging indeed to participate in these Working Group meetings. There was a strong determination to find solutions to the deficit problems, combined with a willingness to accept the financial sacrifices which were necessary. The work which the Working Group did now needs the approval of this Council. I am hopeful—or let me say I am convinced—that after careful review you will give your blessing to the model schedules attached to the document so that they may become our guidelines for government contributions in 1971 and future years.

I wish to repeat and underline the word guideline. Under the ICEM Constitution contributions to the Operational Budget are voluntary and anything the Working Group

has done or we do today will not change that basic paragraph of the Constitution. However, it is our hope that in future years all governments will do their utmost to link contributions to the scales presented in the model schedule.

It is now for the Council to pass final judgment on the Working Group Report. If approved, I think we have taken a most important step, and your initiative of last year has brought forward an excellent result.

Before commenting on the major programmes which are included in our 1970 and 1971 budget documents, I would like to repeat what I have said in previous meetings, that we should aim at planning over a longer period, say three years. It is still in my mind to do so, but before it could be done we needed a more solid financial basis for our operation. This has now been reached through the model schedule and we can initiate plans for programmes and financing over a longer period. In doing so we are following the example of several governments.

Turning to the different sections of the Operational Budget, let me start with National Migration.

During recent years there have not been any substantial fluctuations in the number of national migrants, and it is expected that the desire to emigrate from Europe will follow much the same pattern in 1971. In our initial estimate for that year we have therefore followed the trend of the past.

Turning to our Refugee Programme, it is not possible to tell the whole story, for there are refugees in all corners of the world. Although there is likely to be a slight downward trend in 1971, the number to be assisted by ICEM will still be very high compared to the middle nineteen sixties. Close to us we have large refugee groups in Italy, Austria and the Federal Republic of Germany, but we are in fact concerned with refugees in all Western European countries and also in Yugoslavia. Further away there are the refugees in North Africa and the Middle East to seek to emigrate to or via Europe.

At the present time we are specifically concerned with the accumulation of Cuban refugees in Spain. The problem there is twofold. The present visa possibilities are reduced, while at the same time the refugees there are reluctant to consider new destinations. Under these circumstances we have instituted a system of registration and counselling to promote emigration to Australia and Latin America, but it is too early to say anything about the results. However, I think it is proper to express our appreciation for the generous asylum policy of the Spanish authorities and I wish to assure the Spanish representative of our continuing and untiring efforts to ease the refugee burden.

Outside our traditional refugee programmes we are continuing our support to non-European refugees for whom emigration possibilities exist but who are in need of assistance.

Regarding Asia, I should inform you that the movement of Chinese refugees from Hong Kong is a continuing operation. The United States has recently decided to apply Section 7 of its Immigration Act to the Hong Kong area, which will increase the number to be assisted in 1971. The voluntary agencies will be heavily engaged in locating assurances of resettlement in the United States for these Chinese refugees. ICEM will be closely co-operating with the agencies on processing and movements.

Also in Asia we are assisting in the movement of small groups of Tibetans from India and a few refugees from South Korea. There were also some UNHCR refugees moved from Africa to overseas destinations and a group of Haitian refugees moved to Europe.

I should also mention that we recently received a request from the United Nations High Commissioner for Refugees to assist his representative in arranging the repatriation of children who had left Nigeria during the

disturbances there last year, and had found refuge in neighbouring countries. A senior staff member was sent to assist in the planning and carrying out of the transport operation, which is now in the implementation stage.

A further refugee situation I should report on relates to displaced persons in El Salvador. These have become the concern of ICEM at the request of the Government of that country, and we have been discussing relief and rehabilitation programmes with the local authorities. One project calls for the setting up of a centre for the production of ceramics, in which displaced persons will be trained by an ICEM-recruited instructor from Europe. The second project involved the resettlement of displaced persons in other countries of Central and South America. There are good prospects for settling a number of persons during 1971, if special financing can be obtained. We are now seeking funds in order to finance the operation outside the normal ICEM budget.

Two artisan projects for the training of disadvantaged persons in Honduras are mentioned in our budget documents for 1970 and 1971. I am happy to report that these projects will be in operation next month with the departure from Spain on 1 December of the two technical directors/instructors whom ICEM has recruited. These projects are receiving financial support from the Organization of American States and the Agency for International Development.

In connection with the assistance to non-European refugees, I want to thank the Norwegian Refugee Council which on several occasions has been helpful in providing funds for small groups of these refugees who were in distress.

I would not want to leave the subject of refugees without paying tribute to the United Nations High Commissioner for Refugees. Once again I want to stress the splendid co-operation existing between the Office of the High Commissioner for Refugees and the Intergovernmental Committee for European Migration. I do this because I know that some governments have fears concerning a multiplicity of international organizations, and it should be understood these fears have no bearing on this particularly close joint working relationship.

While ICEM is to some extent limited geographically by its mandate with regard to its work with nationals, it has a much wider prospect when it comes to refugees. At the ICEM Council session last November, permission was given to the Director to assist in the movement of any non-European refugee when so requested by UNHCR, and when funds were available from sources outside the normal budget of ICEM. Movements procedures have thereby been greatly accelerated.

Having mentioned particular friends, I must here also pay tribute to the voluntary agencies. They are with us in all our activities, whether national migration, refugee assistance or Latin American development. Their widespread structure of offices and representatives work with us and work for us and reach people in remote areas where we could not afford representation. We have established a tradition of large meetings and small gatherings with the agencies which enable us to keep regular and close contact. We are lucky, indeed, always to have the voluntary agencies with us.

I am now getting to the third pillar in our system, the Latin American Programme. Here we are passing through a difficult phase. In their process of development many Latin American countries have reached the point where they themselves are able to meet the demand for what we may call the lower level of specialists and skilled workers. Consequently ICEM should now stop recruiting such people, who were mainly young people who had completed technical school but had little practical experience. We are there-

fore faced with the difficult task of adapting our selection machinery to higher level recruitment to be able to provide what is needed in the economy of the Latin American countries. This adaptation will take some time and movements during that period may not be up to expectation. However, I am not unduly worried. We shall meet this challenge. It is no greater than those we have faced in the past. However, I do appeal to European Governments to give us all possible assistance in finding the relatively small number of technicians who will be required under the Selective Migration Programme.

During the spring, I had the pleasure of visiting Peru, Brazil, Ecuador and Colombia, and I wish once more to express my appreciation of the kind reception which was given to me everywhere. It is my intention to visit Central American countries in the spring of 1971 to get acquainted with that region of Latin America.

It was my impression, during my trip, that we are still not doing enough to make ICEM and its programme known in our Member countries so that institutions which are in need of technicians can take advantage of our recruitment facilities. I am carefully studying how we can improve our press and other publicity services in Latin America.

Within the Latin American Programme but outside our normal programme, we have the question of Inter-Latin American migration. The question was raised by Argentina and ICEM was asked whether it could render assistance of some kind in the legal and technical aspects of movements between Argentina, Chile, Bolivia, Paraguay and Uruguay. We have had meetings here in Geneva on the matter, our Missions in the four countries have discussed it at government level, and recently we have sent questionnaires to the Governments concerned, the replies to which are now coming in. Inter-Latin American migration is a very interesting question, but it is obviously too early to say what ICEM can do and how far it can go. So far, we are not ready even to define the question, much less to document it for the Council. However, I am hopeful that at the Executive Committee in May I shall be able to produce a proper document which can be used as a basis for the deliberations of ICEM Member Governments.

Before leaving our programmes for 1970 and 1971, I should like to touch on the question of financing. We must not overlook the fact that the 1970 Budget shows a deficit of \$150,000 in Section III.

It was very gratifying, in the Executive Committee, to hear the representatives of Italy and the Federal Republic of Germany announce contributions of \$50,000 and \$38,000 respectively, which had not been allowed for when preparing the budget. They bring the deficit down to \$62,000. On the basis of this figure, the Italian representative announced his Foreign Ministry's intention to seek further contributions for ICEM in 1970. I should like to appeal to governments to make a maximum effort to find the remaining \$62,000. To be on the safe side, however, I suggest that the resolution on the 1970 Budget should authorize some drawing on reserves, if that should become unavoidable.

Turning to 1971, we should not forget that even if they approve the model schedules, some governments have already stated that they cannot apply them in 1971. This is understandable in view of government working procedures, but it does mean that we shall still have a deficit in 1971, although it will be smaller than in previous years.

I am very glad that the Sub-Committee on Budget and Finance is planning to meet again in March, when a Revised Budget for 1971 will have been prepared, so that we shall be able to let governments know exactly what the situation is.

While on the subject of the 1971 Budget,

I should like to say a few words about our plans for celebrating the twentieth anniversary.

ICEM, as an independent, but relatively small organization, has always had difficulties in making itself known to the public, and even in governmental circles we find a lack of knowledge of what we are trying to achieve. We are therefore compelled to spend money on publicity. In my experience, such publicity efforts are more effective if they are linked to a specific occasion. We need a film about ICEM. We have nothing which is modern and up-to-date. The film we are going to produce will not be very closely linked to the anniversary and so it can be used for several years after it. It is generally agreed that films, particularly if they are shown on television, are one of the most effective means of publicity.

In our emigration work as a whole, but particularly within our Latin American Programme, we have established either liaison or working relationships with a number of international organizations. Through this co-operation we draw upon the knowledge and experience of people working parallel to us and are able to assure that there is no duplication in our work.

Within the United Nations system of organizations, we work together with the United Nations Development Programme. Several of its projects offer practical ways of co-operation in the recruitment of European technicians.

We have co-operated for many years with the International Labour Office, and recently we have been in close contact with it concerning the Ottawa Plan for Human Resources.

We have recently had negotiations with the Inter-American Development Bank aiming at providing some form of loans to migrants in Latin America, and a formula is being worked out.

We have also had conversations with officials of the World Health Organization with a view to co-operation on the question of medical personnel for Latin America.

ICEM has a close and very fruitful co-operation with the Organization of American States on the Selective Migration Programme. We also work together on the question of the displaced persons in Central America and the establishment of projects for them.

In the European region, we participate in the meetings of the Council of Europe and its special committees, providing information on ICEM activities.

We also maintain regular contact with the OECD, particularly through its Committee for Manpower and Social Affairs.

Finally, I should mention that we are in the process of establishing a working relationship with UNESCO in connection with our programme for teachers and university professors to Latin America.

These are only a few comments on a section of our work which is becoming more and more important. It has been a pleasure for me to meet senior officials of all these organizations and I am certain that co-operation can be of benefit to all parties concerned. I must say that I believe there is a growing awareness among the other international organizations as to the competency of ICEM and I shall endeavour to increase this awareness in every way that I can.

I am now coming to my last subject—one which is very dear to my heart—the future of ICEM.

It is obvious that at the present time both our programming and our financing are based too much on the situation at a given moment and too little directed towards the long view. We do not have the proper background in research and analysis. In 1967 this whole matter was the subject of prolonged discussions in the Council, but little came of it owing to immediate emergencies. I know that several governments, some of them no

longer with us, felt that an important question had been neglected at that time.

I am fully aware that, in preparing future plans, we should limit ourselves to what is traditionally within our scope and we should not try to survey the whole world. As I see it, the ICEM Member Governments would like us to concentrate on research in the emigration field as it is related to Europe and the overseas Member countries. They would like ICEM to be the source of the information they need in drawing up their annual or long-term plans.

I am not bringing forward these plans merely to ensure the preservation of ICEM. I do it because I believe that migration is a characteristic phenomenon of modern times and that, in the future, larger numbers will move in response to the pull of economic demand. I know that we have to work within realistic limits, but it is also true that ICEM is the only migration organization which is international in scope.

The document before you—MC/982—is a first step in the direction adumbrated in 1967. It does not go very far. Some delegates may even feel that the steps suggested could have been initiated by the Director without consulting the Council. This may be so, but I would nevertheless like to have the Council's view because sooner or later this will become a question of importance. As the work proceeds, I look forward to the direct participation of Member Governments and perhaps even non-member governments. I would like to meet with leading people in the demographic field and to receive guidance from voluntary agencies, international organizations and others interested in migration.

I hope to have the support of governments in advancing these plans, which might help to bring stability to ICEM during the next decade.

Mr. Chairman, I am sorry that I have spoken at such length but I thought that you would have wanted me to place before the delegates my views on the various items that will be debated in the course of the next few days as well as my report on my stewardship over the past year. Thank you very much.

DIRT CHEAP, OR CHEAP DIRT?

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

Mr. MELCHER. Mr. Speaker, for the information of the Members of the House, I have cautioned my family against buying hamburgers at Gino's since receiving a letter from Gino's Inc., 215 West Church Road, King of Prussia, Pa.

I issued my little family directive for two reasons:

First, Gino's is lobbying for removal of restrictions on the importation of meat into the United States in face of the need to improve the inspection for sanitation and wholesomeness of that meat and see that it is clean and fit to eat before we let it in. We have no such assurance now.

Second, because Gino's letter says hamburger prices will rise 30 to 40 percent if legislation is passed restricting imported meats which indicates that the institution has an outrageous pricing policy.

I do not know of any restriction proposals, including even the embargoing of all imported meat—which is not proposed—which would justify that Mr. Gino increase his price for hamburgers even 10 percent.

I hope the Gino Corp., whose executive vice president states that they use 1.6 ounces of meat in their regular hamburger, does not believe that it is unreasonable to add less than half cent cost per hamburger to assure complete and thorough U.S. inspection of the meat they use.

The price of the imported meat they buy, which is only haphazardly inspected for sanitation after a 3- to 8-week transit from foreign plants, is about 5 cents per pound less than the hamburger made from U.S. inspected beef grown and processed in this country. That comes to one-half cent apiece on the 10 hamburgers that Ginos makes from one pound of the meat and in no way should be used as a reason by this flourishing food chain for attempting to block legislation to assure their consumers meat thoroughly inspected in the United States.

I additionally object to Gino's false contention that imported beef is badly needed on a quantitative basis to meet the need for manufacturing beef because cow and bull slaughter has declined.

The supply of manufacturing beef about which Mr. Gino is so concerned has not declined but increased by about 30 percent on a per capita basis in 10 years. Cow and bull beef are not the only sources of manufacturing meat, although it could be that Mr. Gino uses only that tough, aged kind. I do not know. I have not eaten his hamburgers.

Supplies of processing meat from our fed cattle industry have increased sharply, and the total supply of manufacturing beef is actually greater per capita than ever before.

Don Paarlberg, Director of Agricultural Economics, Department of Agriculture, pointed this fact out to the American Meat Institute in an address in Chicago on October 20. I quote a few lines from his speech:

The Secretary and other Department officials disagree with the argument that because beef imports are of primarily lower grades they do not affect domestic producers; they do . . . there were a number of allegations to the effect that processing beef supplies were relatively short. I would like to comment on this point. Per capita supplies of processing beef have increased almost 30% in the past decade. There has, however, been a change in the mix of these supplies. It is true that supplies of cow and bull beef have increased only slightly in recent years. However, supplies of processing beef from the fed beef sector have increased sharply. These are the trends that we likely will see continue in the next decade.

Unless Gino wants to restrict its hamburgers to the cheapest imported beef he can buy, that has not been thoroughly inspected in the U.S. to eliminate dirt, blood clots, systs, ingesta, bone, hair, and even fecal matter, he has no grounds whatever for the complaint that I assume he has written all Members of the House.

CLOSING OF SHOE FIRMS IN MASSACHUSETTS

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

Mr. BURKE of Massachusetts, Mr. Speaker, two shoe firms in Massachusetts announced this week that they would close their plants down. The firms are both located in Lynn, Mass., the Novelty Shoe Co., and the Unique Manufacturing Co.

Mr. Richard W. Morley, president of the Novelty Shoe Co., explained that his business was being liquidated due mainly to competition from foreign imports. He also stated that he hoped " * * * the recently passed House import bill will help manufacturers but it is a little late to help such people as us."

Lynn Novelty has been in operation for the past 22 years and employs approximately 200 people. These people are now jobless and Lynn Novelty becomes another statistic, numbering the 13th shoe company to close in Massachusetts in the first 11 months of this year.

HUNGER AND THE FARMER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. PRICE) is recognized for 30 minutes.

Mr. PRICE of Texas. Mr. Speaker, as I have observed on previous occasions, American agriculture produces the greatest variety of rich and wholesome farm products in the world at a cost to the American consumer that is lower than at any other time in our Nation's history. Despite this abundance, however, too many of our citizens suffer from malnourishment or undernourishment.

With the issue of hunger in America occupying so much attention in the body politic, public concern has yet to become meaningfully focused on the very real nutritional problems existing in much of what can be considered the traditional American diet.

Dr. Roger J. Williams, professor of Chemistry at the University of Texas in Austin, has authored a very compelling treatise on the subject of nutrition. The issues he raises should be pondered by all of those to whom improving the nutritional qualities of our foods is an important concern.

I commend Dr. Williams' article entitled, "Should the Science-Based Food Industry Be Expected To Advance?" to the attention of my colleagues.

SHOULD THE SCIENCE-BASED FOOD INDUSTRY BE EXPECTED TO ADVANCE?

(By Roger J. Williams, with the technical assistance of Chas. W. Bode)

In spite of improved infant feeding which has been made evident by some increase in stature, it has seemed to the writer that the food industries in general tend to remain static (or even be regressive) with respect to providing the public with better and better food. My apprehension with respect to this problem has increased immeasurably during the past eighteen months when it has been possible with the indispensable and capable assistance of Mr. S. Rodman Thompson to survey critically the current medical and scientific literature which bears directly or indirectly on the relationship of nutrition to disease.

Apprehension has further been greatly enhanced as a result of the following experiment which was designed to find out how serious the lag may be in the crucial milling and baking industry, which provides the public with its "daily bread."

Weanling rats of four different strains were placed on two bread diets. Sixty-four rats, 16 of each strain, were given commercial "enriched" bread, still produced essentially in accordance with the practices of about 30 years ago; matched groups were given the same bread supplemented in accordance with more up-to-date nutritional knowledge by the addition of small amounts of minerals, vitamins and one amino acid, lysine.* The supplementation was limited; no attempt was made to make the bread the best possible. The cost was increased an estimated five per cent, and the baker volunteered that the modified bread could not be distinguished by appearance from the commercial bread.

After about two weeks on these two diets the rats in all the strains showed strong contrasts. The average rates of gain for the four strains were 4.8, 6.1, 6.5, and 9.5 times as great (!) respectively on the improved bread.

After 90 days on the commercial bread diet about two-thirds of the animals were dead of malnutrition and the survivors were severely stunted, whereas practically all the other animals on the improved bread were alive and growing.

That commercial white bread appeared severely deficient came as no surprise since it had been found in our laboratory previously that weanling rats lived on the average only about 60 days on a bread diet. We were surprised that the deficiencies of bread could easily be greatly alleviated.

To each pound of "enriched" flour was added: pyridoxine, 2 mg; pantothenate, 4.5 mg; cobalamine, 2.2 mcg; vitamin A, 2160 u; vitamin E, 20 mg; folic acid, 0.5 mg; L lysine, 0.5 g; calcium, 300 mg; phosphate, 713 mg; magnesium (oxide), 150 mg; manganese (sulfate), 20 mg; copper (sulfate), 4 mg.

As the experiment progressed supplementation with vitamin D was also included. Under the conditions of our experiment this seemed to make no substantial difference. We look upon the particular formulation used as primarily illustrative. Undoubtedly, the nutritional value could have lysine, but under present conditions this would have increased the cost materially.

From these experiments it appears that an extremely serious situation exists with respect to the manifold products made from "enriched" flour and that similar questions arise with respect to many other foods. The seriousness of this problem is greatly enhanced in the light of the evidence we have gathered that poor nutrition—prenatally, during youth and adulthood—is a probable source of a large number of important and highly prevalent diseases. "Enriched" products whether they be bread, bakery goods or cereal breakfast foods, for example, are nutritionally far below what scientific advance should demand. Furthermore, the same disregard of nutritional value that is observed in the milling and baking industry is carried over to the production of many other foods.

The immediate basis for this lapse in the milling and baking industry is evident: "Enrichment" as now practiced is nearly 30 years old and is antiquated. During the intervening years there has been instituted no nutritional advance or improvement whatever. No cognizance has been taken of the other nutrients, or of the newer knowledge about them: vitamin B₆, pantothenic acid, vitamin B₁₂, vitamin A, vitamin E, folic acid, the amino acids and the minerals, conspicuously magnesium.

What would we think of a communications industry if year after year and decade after decade there were no substantial advances in printing and duplicating, in radios, telephones, and television, or in voice and musical reproduction? In recent decades the

Footnotes at end of article.

textile industry has been revolutionized, the lighting industry has advanced rapidly, ultra-advancement has come in transportation, the paint industry has completely changed, computers have been developed and improved almost beyond belief.

The food industries like all the others are science-based. Should there not be marked progressive improvements in the quality of our food? Is it that nutritional science is backward, or has there been a failure to apply what is scientifically known?

One defense which the baking and milling industry may cite is the fact that bread is not customarily consumed alone. Bread is consumed, for example, with butter or milk or in sandwiches. There is no question but that the rats in our experiment would have fared better if the bread diets had been supplemented with milk, meat, or cheese. These are superior foods, as can be demonstrated by feeding them to experimental animals. The fact that bread accompanied by these good foods would produce passable results proves nothing with respect to bread. Sawdust when accompanied by good foods such as milk, meat and cheese can yield acceptable results, yet sawdust is known to be almost without nutritional value. The proper way to test the nutritional value of bread is to test it alone as we have done. That the commercial bread is so deficient is intolerable in light of the fact that it can so easily be vastly improved.

A more valid defense which the baking and milling industry may call upon, is based upon the restrictive activities of the Food and Drug Administration which tend to hold "enrichment" at a static level. Bakers and millers are not allowed by this governmental agency to modify the flour and bread as they may wish.

One concept which has influenced the flour and bread enrichment program, is that ideally white bread and flour should approach in nutritional value whole wheat bread and flour. I see no reason why in an age of scientific advance the product of a modern bakery should not far surpass whole wheat bread. We suspect that the supplemented bread used in our experiment was much superior to whole wheat bread. In any case, it would be easy with our modern knowledge to produce a bread that is vastly superior. Why not?

If we look for more deep-seated reasons for the nutritional backwardness of the milling and baking industry, we can readily trace this high regard for the status quo back to the apathy, if not antagonism, exhibited by classical medical education toward nutrition. It is no secret that medical education is deficient with respect to nutrition, and that it does not foster rapid advance in this field. Without appreciating the consequences of the action, traditional medical education has for decades been disregarding the pleas of nutrition enthusiasts (and experts). It has been saying to them in effect, "You can say what you wish, we're not interested. Quackery is outside our province."

In an earlier publication² we called attention to the psychological attitude which has developed in the medical profession which militates against the members being interested or well-informed with respect to nutrition. These comments were reprinted with approval in Britain, and the related suggestions have been the basis for favorable articles and editorials in the medical press.⁴

The status is briefly this: Nutrition enthusiasts, which include some faddists and charlatans are prone to make unwarranted generalized claims (for specific vitamins, for example), and are often masters of publicity. Rather than become embroiled with these enthusiasts and in order to avoid disputation or association of any kind with them, official medical education has said in effect,

"Ignore them." In ignoring them they have regretfully tended to ignore bona fide nutrition also.

In a time when we hear so much about environments, and the crucial need for preserving them, medical education has failed to stress the tremendous importance of the environment which we desperately need to provide continuously to the cells and tissues of our bodies. Without a suitable environment the liver cells cannot perform effectively their many tasks which include the detoxification of many harmful substances; without a suitable environment the cells and tissues of the heart and blood vessels cannot do their crucial work effectively; without a suitable nutritional environment the brain cells cannot develop and perform, decade after decade, their manifold regulatory and other functions.

How are these environments provided, and where do the essential environmental factors come from? They come mainly from nutrition. If we furnished through our open mouths an adequate assortment of the approximately three dozen nutritional elements which are indispensable to the environments of cells, they will function well and health will result. If any link in the chain is missing or weak the environments are correspondingly unfavorable, the cells malfunction, producing disease.

We have assembled from the scientific and medical literature abundant evidence which points strongly to the conclusion that *aside from infection, the most important potential cause of disease is the poor nutritional environment of cells and tissues.* Medical education has ignored this possibility.

It is true, of course, that some physicians are interested and are well-informed about current nutritional thinking. In general they have reached their status by special study and research which has been done *in spite of* rather than *because of* their medical training. Physicians have told me that many of their number will heartily welcome what is being said here, because they know that nutrition has been sadly neglected.

The failure of medical science to take nutrition seriously is the basic cause of the backwardness of the baking and milling industry and the ineptness of the Food and Drug Administration with respect to nutrition. This failure has had far-reaching effects. Although individual medical scientists may have interests along this line, it can be said without fear of contradiction that there is no organization or institute anywhere in the world which even purports to study any disease (atherosclerosis, arthritis, mental disease, cancer, or whatever) *thoroughly* from the standpoint of the role of nutrition and nutritional environments.

Two broad and crucially important facts which underlie the whole problem of non-infective and infective disease have largely escaped medical science because of its lack of attention to the science of nutrition.

The first fact is that living cells wherever they occur in nature, are *always subject to limitations* in their nutritional environments.

Single cells rarely if ever encounter culture media that are optimal—not subject to improvement in any way. The cells in our bodies are not automatically furnished a perfect environment from which nothing is lacking or is in short supply. The kind of environment these cells are furnished depends upon what we eat. Limiting nutritional factors are the rule, not the exception. Many people eat so carelessly that their liver cells, for example, never, over the years, get a really "square meal." As a result, liver cells (and other cells in the body) limp along as best they can in a poor environment, just as does corn or cotton growing in a poorly fertilized or sparsely watered field. "Limping along" in an inadequate environment is certainly very prevalent in

the world of nature. It is just as common in the world which is inhabited by our body cells. When the limp becomes severe, overt disease results. Fully adequate nutrition is a continuing question mark for every one of us. This, medical education has not taught.

The second comprehensive fact which encompasses all attempts to apply nutritional knowledge and which has been overlooked in medical education is this: *Nutritional factors always work as a team.*

In testing the efficacy of drugs we simply administer the drug in question. If it brings the desired result, the answer is "Yes," if not, the answer is "No." In testing the efficacy of a mineral, amino acid or vitamin, however, the principle of *teamwork* needs desperately to be recognized. If it is not, as has usually been the case, the results are erroneous. No nutritional factor *by itself* can do anything. It is like a nut, bolt, spindle, or gear in a complicated machine; unless the rest of the machine is there (which biologically may sometimes be the case), it is completely useless.

This important principle has been largely overlooked because medical education has not seriously explored nutrition. Let us consider the following broad question: Is "n" (one of the essential nutrients) effective in preventing heart disease, arthritis, obesity, alcoholism, mental disease or cancer? The obvious answer to the question appears to be "no" since there is no known nutrient, the simple administration of which will bring about these results.

But the testing on which this obvious and far-reaching answer is based has been seriously at fault! Indispensable teamwork has been ignored; the experiments have been designed to answer the wrong questions, and the conclusions are worse than useless.

The scientific question whether or not "n" can prevent heart disease, arthritis, obesity, alcoholism, mental disease, or cancer remains an open one until "n" has been tested under such conditions that all other parts of the metabolic machinery can be functional. *Teamwork must be involved.* If "n" is tested under conditions that make it impossible for it to function, of course the results will be negative.

Especially in the light of the extensive evidence we have gathered, there is a strong presumption that careful scientific handling of the teamwork in the nutritional environment of our body cells will not only prevent the onset of numerous diseases but will also prevent the production of malformed and mentally retarded babies. Medical science needs to explore these possibilities extensively and intensively. In view of the present public mood, the importance of cellular environments cannot be denied or brushed aside.

This is a matter which should be a maximum public concern and there should be many public servants engaged in exploring these cellular environments and what can be done to improve them. On the basis of present knowledge it appears certain that health can be vastly improved in every direction if the quality of our food is improved.

The baking and milling industry is crucially important in this regard because products made from "enriched" flour are consumed in enormous quantities, especially by those with lower incomes. Breads, crackers, cakes, pastries, and other "enriched" and processed foods are consumed in quantity by children whose body and brain cells as a consequence continually limp along in a poor environment. Current "enrichment" disregards the teamwork which is essential and physical and mental ills arise as a consequence. If the nutritional value of flour, bread and related products can be brought up to a respectable level by any means whatever, this will be a tremendous forward step.

The writer is not the first American sci-

entist to entertain what some may regard as an extravagantly optimistic view of the possibilities residing in the field of nutrition. Henry C. Sherman of Columbia in writing the book "The Nutritional Improvement of Life" revealed a belief that vast benefits can be derived from better nutrition. He was a member of this Academy. From correspondence with Elmer V. McCollum, a member of this Academy for 47 years, it is clear that he too held what may be regarded as extreme views. I am confident that my brother, R. R. Williams, also a member of this Academy, who has much to do with the original enrichment program, would, if he were living, heartily applaud what I have to say.

Perhaps the clearest enunciation has come from Frank G. Boudreau, M.D., formerly a prominent member of the Food and Nutrition Board. He wrote in 1959: "If all we know about nutrition were applied to modern society, the result would be an enormous improvement in public health, at least equal to that which resulted when the germ theory of infectious disease was made the basis of public health and medical work."⁵

He was calling for a revolution in medicine as important as that following the recognition of infectious disease! I would echo this call, and on the basis of extensive evidence hitherto not available there is vast reason for hope.

FOOTNOTES

¹ Williams, Roger J., and Pelton, Richard B., "Individuality in Nutrition; Effects of Vitamin A-Deficient and Other Deficient Diets on Experimental Animals," *Proc. Natl. Acad. Sci.*, 55, 126-134 (Jan. 1966).

² Williams, Roger J., *The Environmental Prevention of Disease*, New York, N.Y. and London; Pittman Publishing Corp. in press.

³ Williams, Roger J., and Deason, Gary, "Individuality in Vitamin C Needs," *Proc. Natl. Acad. Sci.*, 57, 1641 (June 1967).

⁴ *Medical News*, Vol. 1, No. 20, page 1, May 15, 1967. Editorial, "Dem Individuum Sein Recht." *Medical Tribune*, Internationale Wochenzeitung-Ausgabe für Deutschland, June 2, 1967. Editorial, "Propetologie und Biochemische Individualität." *Ibid.*, November 17, 1967.

⁵ Boudreau, Frank G., in *Food*, Yearbook of Agriculture, 1959, U.S. Dept. of Agri. Publ., Washington, D.C.

TAKE PRIDE IN AMERICA

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

Mr. MILLER of Ohio, Mr. Speaker, today we should take note of America's great accomplishments and in so doing renew our faith and confidence in ourselves as individuals and as a nation. In 1955 \$6,279,000,000 was spent in the United States on research and development. It is estimated that in 1970 this amount will be over \$27 billion.

PRESIDENT NIXON'S POSITION ON THE BOMBING OF NORTH VIETNAM

(Mr. GERALD R. FORD asked and was given permission to revise and extend his remarks at this point in the RECORD.)

Mr. GERALD R. FORD, Mr. Speaker, in his press conference last night President Nixon took a wise step in explaining clearly and explicitly his position on the bombing of North Vietnam.

The President stated that he will bomb

military targets in North Vietnam if there is evidence that the enemy is endangering the withdrawal of American troops and that he will order retaliatory strikes against missile sites if they fire upon U.S. reconnaissance planes. He explained that the reconnaissance flights are essential to protect the lives of withdrawing American troops.

President Nixon's position is entirely reasonable and justifiable. He has the solemn responsibility of protecting our withdrawing forces and he must take the steps necessary to see that they are protected. But his statement last night had added significance because of its candor. The cards are now clearly on the table and if Hanoi persists in endangering our withdrawal program it knows exactly what to expect.

The President's position should receive the full and unqualified support of the Congress. Some of our colleagues have complained in the past about lack of knowledge of what the administration is doing. But there can be no such complaints today.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. GRAY (at the request of Mr. ALBERT), for today, on account of illness in the family.

Mr. FOUNTAIN (at the request of Mr. BOGGS), from 3:30 today for the remainder of the day, on account of official business.

Mr. PEPPER (at the request of Mr. ALBERT) for today, on account of official business.

Mr. BINGHAM (at the request of Mr. ALBERT), for today, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. PRICE of Texas (at the request of Mr. SEBELIUS), for 30 minutes, today, and to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. ALBERT, immediately following the remarks of Mr. SYMINGTON, during his 1-minute speech today.

Mr. MATSUNAGA prior to the passage of H.R. 19868.

Mr. THOMPSON of New Jersey, to revise and extend his remarks on the bill H.R. 13956, and to include extraneous material.

Mr. GROSS, to revise and extend his remarks on H.R. 13956.

(The following Members (at the request of Mr. SEBELIUS) and to include extraneous matter:)

Mr. ANDERSON of Illinois.

Mr. DENNIS in two instances.

Mr. COLLINS of Texas in five instances.

Mr. WYMAN in two instances.

Mrs. DWYER in three instances.

Mr. SCHERLE.

Mr. ZWACH.

Mr. HOSMER in two instances.

Mr. DELLENBACK.

Mr. SCHMITZ in two instances.

Mr. BOB WILSON.

Mr. DERWINSKI.

Mr. MIZELL in two instances.

Mr. PRICE of Texas in six instances.

Mr. SEBELIUS.

(The following Members (at the request of Mr. ANDERSON of California) and to include extraneous matter:)

Mr. HARRINGTON.

Mr. O'HARA in two instances.

Mr. LEGGETT in three instances.

Mrs. CHISHOLM in three instances.

Mr. OTTINGER.

Mr. RODINO.

Mr. RARICK in three instances.

Mr. GALLAGHER in three instances.

Mr. FOUNTAIN in two instances.

Mr. UBALL in five instances.

Mr. GRIFFIN in three instances.

Mr. O'NEILL of Massachusetts in two instances.

Mrs. SULLIVAN in three instances.

Mr. KLUCZYNSKI in three instances.

Mr. PICKLE in two instances.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 4262. An act to authorize the U.S. District Court for the Northern District of West Virginia to hold court at Morgantown; to the committee on the Judiciary.

S. 4571. An act to amend the Central Intelligence Agency Retirement Act of 1964 for Certain Employees, as amended, and for other purposes; to the Committee on Armed Services.

ENROLLED BILLS SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2669. An act to amend section 213(a) of the War Claims Act of 1948 with respect to claims of certain nonprofit organizations and certain claims of individuals; and

H.R. 19846. An act to amend the Act of August 24, 1966, relating to the care of certain animals used for purposes of research, experimentation, exhibition, or held for sale as pets.

SENATE ENROLLED BILLS SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 1079. An act consenting to the Susquehanna River Basin compact, enacting the same into law thereby making the United States a signatory party; making certain reservations on behalf of the United States, and for related purposes;

S. 2108. An act to promote public health by expanding, improving, and better coordinating the family planning services and population research activities of the Federal Government, and for other purposes;

S. 3070. An act to encourage the development of novel varieties of sexually repro-

duced plants to make them available to the public, providing protection available to those who breed, develop, or discover them, and thereby promoting progress in agriculture in the public interest;

S. 3418. An act to amend the Public Health Service Act to provide for the making of grants to medical schools and hospitals to assist them in establishing departments and programs in the field of family practice, and otherwise to encourage and promote the training of medical and paramedical personnel in the field of family medicine and to provide for a study relating to causes and treatment of malnutrition;

S. 3479. An act to amend section 2 of the Act of June 30, 1954, as amended, providing for the continuance of civil government for the Trust Territory of the Pacific Islands; and

S. 4083. An act to modify and enlarge the authority of Gallaudet College to maintain and operate the Kendall School as a demonstration elementary school for the deaf to serve primarily the National Capital region, and for other purposes.

ADJOURNMENT

Mr. ANDERSON of California. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 17 minutes p.m.), under its previous order, the House adjourned until Monday, December 14, 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:

2608. A letter from the Chairman, Migratory Bird Conservation Commission, transmitting the annual report of the Commission for fiscal year 1970, pursuant to 16 U.S.C. 715b; to the Committee on Agriculture.

2609. A letter from the Director, Office of Management and Budget, Executive Office of the President, transmitting a report on the operation of section 501 of the Second Supplemental Appropriations Act, 1970, which establishes a limitation on budget outlays for fiscal year 1971 (H. Doc. No. 91-426) to the Committee on Appropriations and ordered to be printed.

2610. A letter from the Chairman, Indian Claims Commission, transmitting a report

that proceedings have been finally concluded with respect to docket No. 227, *Pueblo of Laguna, et al., Plaintiffs, v. The United States of America, Defendant*, pursuant to 25 U.S.C. 707; to the Committee on Interior and Insular Affairs.

2611. A letter from the chairman, Federal Trade Commission, transmitting the 55th-annual report of the Commission, covering fiscal year 1969; to the Committee on Interstate and Foreign Commerce.

2612. A letter from the Secretary of the Army, transmitting a draft of proposed legislation to amend the Flood Control Act of 1960, as amended, relating to the compilation and dissemination of information on floods and flood damages; to the Committee on Public Works.

2613. A letter from the Administrator, Environmental Protection Agency, transmitting notice of the Agency's intention to submit a report on an "investigation and study of the feasibility of all methods of financing the cost of preventing, controlling, and abating water pollution, other than methods authorized by existing law," due by December 31, 1970, under section 109 of the Water Quality Improvement Act of 1970, after that date but before June 30, 1971; to the Committee on Public Works.

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. FLOOD: Committee of Conference. Conference report on H.R. 18515 (Rept. No. 91-1729). Ordered to be printed.

Mr. BOLAND: Committee of Conference. Conference report on H.R. 17755 (Rept. No. 91-1730). Ordered to be printed.

Mr. HOLIFIELD: Committee on Government Operations. The role and effectiveness of Federal advisory committees (Rept. No. 91-1731). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. GUDE:

H.R. 19943. A bill to facilitate and encourage cooperation between the United States and certain defense contractors engaged in the furnishing of defense material to the United States in providing for an orderly

conversion from defense to civilian production, and to assure, through such cooperation, that the United States and such defense contractors will be able to meet the challenge arising out of the economic conversion and diversification required by reason of the changing defense needs of the United States to provide for such an orderly conversion in an effort to minimize, to the extent possible, the hardships and other disruptive factors likely to be encountered by defense workers and their families as a result thereof; to the Committee on Interstate and Foreign Commerce.

By Mr. SCHERLE:

H.R. 19944. A bill to provide that preliminary payments shall not be less than 32 cents per bushel, for corn; to the Committee on Agriculture.

By Mr. FRASER (for himself, Mr. Brooks, Mr. EDWARDS of California, and Mr. ST GERMAIN):

H.R. 19945. A bill to provide an additional period of time for review of the basic national rail passenger system; to postpone for 6 months the date on which the National Railroad Passenger Corporation is authorized to contract for provision of intercity rail passenger service; to postpone for 6 months the date on which the Corporation is required to begin providing intercity rail passenger service and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. RYAN:

H.R. 19946. A bill to amend title 38, United States Code, to guarantee veterans' loans to purchase dwellings in multifamily structures which are owned cooperatively; to the Committee on Veterans' Affairs.

H.R. 19947. A bill to amend the Internal Revenue Code of 1954 to allow a deduction from gross income for donations of blood or body organs to nonprofit organizations or institutions; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 19948. A bill for the relief of Baldasaré Manglaracina; to the Committee on the Judiciary.

By Mrs. MINK:

H.R. 19949. A bill for the relief of Louis Teipoonul Gooding; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 19950. A bill for the relief of Juan Manuel Di Bono; to the Committee on the Judiciary.

SENATE—Friday, December 11, 1970

The Senate met at 11 a.m. and was called to order by Hon. THOMAS J. MCINTYRE, a Senator from the State of New Hampshire.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Ever-living God, as we bow in this place of prayer and of labor, may Thy mercies which are new every morning come upon us now to refresh us and restore us for the unfinished work. Undergird by Thy renewing power the bodies, minds, and spirits which are Thy good gifts to us and energize us for this new day.

Look upon this good land in this hour and bring reconciliation out of division, harmony out of discord, unity out of diversity. Confirm our faith once more

in the supremacy of spiritual verities and in those holy principles of our spiritual kinsmen, the Founding Fathers, lest in troubled and unsure times we go astray. Guide us through this day by Thy higher wisdom and when it is over bring us safe to rest in the knowledge of work well done for all the people.

In Thy holy name we pray. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. RUSSELL).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., December 11, 1970.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. THOMAS J. MCINTYRE, a Senator from the State of New Hampshire, to perform the duties of the Chair during my absence.

RICHARD B. RUSSELL,
President pro tempore.

Mr. MCINTYRE thereupon took the chair as Acting President pro tempore.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Berry, one of its reading clerks, announced that the House had agreed to the report of the committee