Virginia; and Edward C. Sweeney, of Illinois.

A quasi-judicial control agency, the Board of which Governor Cherry served for almost a decade fulfills a most significant role in our democracy. Some of my colleagues may recall that the 81st Congress, as a result of extensive hearings, determined in 1950, and I quote from Public Law 831, that—

> There exists a world Communist movement which, in its origins, its development, and its present practice, is a worldwide revolutionary movement whose purpose it is, by treachery, deceit, infiltration into other groups (governmental and otherwise), espionage, sabotage, terrorism, and any other means deemed necessary, to establish a Communist totalitarian dictatorship in the countries throughout the world through the medium of a worldwide Communist organization.

Subsequently the 83d Congress in the Communist Control Act of 1954, announced that—

> The Congress hereby finds and declares that the Communist Party of the United States, although purportedly a political party, is in fact an instrumentality of a conspiracy to overthrow the Government of the United States.

Governor Cherry devoted the last 10 years of his life to carrying out the will of Congress on the Board which was established to safeguard our security.

Under the Internal Security Act of 1950, as amended, the Board is given jurisdiction to determine, in proper proceedings: First, whether any organization in the United States is a Communist-action organization, or a Communist-front organization, or a Communist-infiltrated organization; second, whether any individual is a member of a Communist-action organization; and third, whether any organization or any individual having previously come within the provisions of the act is entitled to cancellation of registration or other appropriate relief.

Whenever the Attorney General has reason to believe that any organization is one of the types of Communist organizations defined in the act, or that any individual who has not registered as a member of a Communist-action organization is required to register, he shall petition the Subversive Activities Control Board for an appropriate order. Any organization or individual once having come within the provisions of the act may, pursuant to designated procedures, file with the Subversive Activities Control Board a petition for appropriate relief. The act provides for the imposition of criminal penalties upon organizations, officers and individuals who fail to register or to abide by the other provisions of the act which apply when an order of the Board has become final.

During his membership on the Board, Governor Cherry participated in the hearing and decision of some 65 cases, some of which lasted for years and accumulated many thousands of pages of record. Perhaps the best-known case with which Cherry was connected was the Communist Party case. In 1953 after lengthy hearings the Communist Party of the United States was ordered by the Board to register as a Communist-action organization. In 1958, after extensive litigation and several appeals, the case was remanded to the Board for further proceedings. Governor Cherry was assigned as the hearing member in this fundamental case. His recommended decision following new hearings reaffirmed the original Board order requiring the Communist Party to register. His decision was adopted by the Board and ultimately upheld by the Supreme Court in 1961.

Another important case over which Cherry was Attorney General against International Union of Mine, Mill, and Smelter Workers, the first "Communist-infiltrated organization" case. Governor Cherry was the hearing officer during lengthy and extended hearings from 1955 through 1961, and in that year issued a recommendation that the Board determine the Union to be a Communist-infiltrated organization as defined by the act. The Board adopted Governor Cherry's recommended decision and the appeal from the Board's determination is presently pending in the U.S. Court of Appeals for the District of Columbia Circuit.

Chairman Cherry also participated extensively in some 44 individual Communist Party membership cases brought by the Attorney General for Board orders requiring individual Communists to register after the Communist Party refused to register in 1961. Appeals from Board registration orders in these cases are presently pending in the Supreme Court.

Other cases in which Cherry participated include several well-known Communist-front cases such as Attorney General against California Labor School, Inc., in which he was the hearing member, Attorney General against Labor Youth League, Attorney General against Civil Rights Congress, Attorney General against Jefferson School of Social Science, Attorney General against American Committee for the Protection of Foreign Born, Attorney General against Veterans of the Abraham Lincoln Brigade, and others.

Governor Cherry was the rare personality who was both a lawyer and a judge in the most refined meaning of those terms. He was indeed learned in the law—quick to grasp legal reasoning with all of its ever-present distinctions but slow to allow them to steer him from the realities of the matter at hand. As lawyer, his approach to problems was legal but not legalistic; as judge, he was not only judicial but judicious. He had the happy faculty of scraping loose the barnacles of legal and factual minutiae to obtain a clean view of the real, substantive matters at issue. And, in viewing them, he was uncommonly appreciative of the delicate balance of rights and concerns of those affected, be they the parties, their attorneys, his colleagues, or the public. More than most men, he knew that the scales of justice was a most sensitive instrument which could not long withstand heavy-handed tipping in either direction. The Governor's was a gentle tipping hand graced by commonsense and fair play.

As a person Governor Cherry was warm and sensitive—a man who loved life fully and wholly. Even during the terrible suffering of his prolonged illness, he never despaired, finding life always endurable. He liked good company and he especially enjoyed lively discussions. Above all he was tolerant possessing a great capacity for harmonizing conflicting views. Never rigid, always practical he was a man with both feet on solid ground, with a mind keenly aware of the yearnings and hopes of those around him.

He is survived by his wife, Mrs. Margaret Frierson Cherry, two sons, Scott Cherry and Sandy Cherry, and a daughter, Miss Charlotte Cherry. He was a great public servant, but he was also a good father and a fine husband.

SENATE

TUESDAY, AUGUST 17, 1965

The Senate met at 12 o'clock meridan, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our God and our Father, for the varied tapestry of beauty which the changing seasons unfold, for the glories of day and night, for seed time and harvest, for eyes to see and hearts to feel, we lift our grateful praise to Thee.

As all the spinning spheres of Thy creation exists only as they obey Thy mandate, so may our wills—ours, but to make them Thine—be bent to Thy control for only in Thy will is our peace.

In all the tangle of human relationships confronting Thy servants in this legislative forum, may our deepest concern be not to claim that Thou art on our side, but to be sure that we are on Thy side and moving in the direction of Thy kingdom's majestic purpose for all mankind.

Deliver us, we pray, from irreverence in the presence of the holy, from any betrayal of truth even when its revelations cut across our selfish desires, from all motives that may poison integrity, and from all postures before men which are but facades for insincerity.

We ask it through riches of grace in Christ Jesus, our Lord. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Monday, August 16, 1965, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS AND JOINT RESOLUTION

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries, and he announced that

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the President had approved and signed the following acts and joint resolution:

On August 11, 1965:

S. 24. An act to expand, extend, and accelerate the saline water conversion program conducted by the Secretary of the Interior, and for other purposes.

On August 13, 1965:

S. 579. An act for the relief of the State of New Hampshire;

S. 1008. An act for the relief of Ottilia Bruegmann James; and

S.J. Res. 56. Joint resolution authorizing the President to proclaim the occasion of the bicentennial celebration of the birth of James Smithson.

On August 14, 1965:

S. 1742. An act to authorize the U.S. Governor to agree to amendments to the articles of agreements of the International Bank for Reconstruction and Development and the International Finance Corporation, and for other purposes.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Foreign Relations.

(For nominations this day received, see the end of Senate proceedings.)

SUBCOMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Subcommittee on Constitutional Rights of the Committee on the Judiciary was authorized to meet during the session of the Senate today.

On request of Mr. RUSSELL of South Carolina, and by unanimous consent, the Subcommittee on Patents, Trademarks, and Copyrights of the Committee on the Judiciary was authorized to meet during the session of the Senate today.

DISTRICT OF COLUMBIA PUBLIC ASSISTANCE LAW—AMENDMENT—BILL RECOMMITTED TO THE COMMITTEE ON THE DISTRICT OF COLUMBIA

Mr. MANSFIELD. Mr. President, I ask unanimous consent that Calendar No. 324, a bill (S. 1817) to amend the District of Columbia public assistance law to clarify the categories of federally aided assistance recipients, be recommitted to the Committee on the District of Columbia.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

GIUSEPPE DELINA—BILL RECOMMITTED TO THE COMMITTEE ON THE JUDICIARY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that Calendar No. 427, a bill (H.R. 1853) for the relief of Giuseppe Delina, be recommitted to the Committee on the Judiciary.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. MANSFIELD, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The VICE PRESIDENT announced that on today, August 17, 1965, he signed the following enrolled bills and joint resolutions, which had previously been signed by the Speaker of the House of Representatives:

H.R. 206. An act to provide a realistic cost-of-living increase in rates of subsistence allowances paid to disabled veterans pursuing vocational rehabilitation training;

H.R. 208. An act to amend chapter 31 of title 38, United States Code, to extend to seriously disabled veterans the same liberalization of time limits for pursuing vocational rehabilitation training as was authorized for blinded veterans by Public Law 87-591, and to clarify the language of the law relating to the limiting of periods for pursuing such training;

H.R. 2176. An act to authorize the Secretary of the Interior to convey certain property to the county of Dare, State of North Carolina, and for other purposes;

H.R. 6097. An act to amend title 18, United States Code, to provide penalties for the assassination of the President or the Vice President, and for other purposes;

H.R. 9075. An act to increase the basic pay for members of the uniformed services, and for other purposes;

H.R. 10139. An act to amend the act of June 23, 1949, relating to the telephone and telegraph services furnished Members of the House of Representatives;

S.J. Res. 81. Joint resolution to amend the Federal-Aid Highway Act of 1956 to increase the amount authorized for the Interstate System for the fiscal year ending June 30, 1967, to authorize the apportionment of such amount, and for other purposes; and

H.J. Res. 431. Joint resolution extending the duration of copyright protection in certain cases.

APPOINTMENTS BY THE VICE PRESIDENT

The VICE PRESIDENT. Pursuant to Senate Resolution 89 of the 89th Congress, the Chair appoints the following Senators to be Members of the Senate delegation to attend the meeting of the Commonwealth Parliamentary Association in Wellington, New Zealand, from November 30 to December 8, 1965: Messrs. FULBRIGHT, SPARKMAN, MOSS (alternate), RIBICOFF (alternate), HICKENLOOPER, MORTON, KUCHEL (alternate), and FONG (alternate).

The VICE PRESIDENT. Pursuant to Public Law 170 of the 74th Congress, the Chair appoints Senator MORSE in lieu of Senator ROBERTSON, resigned, to attend the 54th Interparliamentary Union Conference at Ottawa, Ontario, to be held between September 9 and 17, 1965.

The VICE PRESIDENT. The Chair appoints the following Senators to represent the Senate at the 18-Nation Disarmament Conference, to be held at Geneva, which began on July 27, 1965: Senators GORE, SYMINGTON, CARLSON, and COOPER.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT ON ADDITIONAL RESEARCH LABORATORY SPACE AT THE CASE INSTITUTE OF TECHNOLOGY, CLEVELAND, OHIO

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., transmitting, pursuant to law, a report on the provision of additional research laboratory space at the Case Institute of Technology, Cleveland, Ohio (with an accompanying report); to the Committee on Aeronautical and Space Sciences.

REPORT ON ADDITIONAL RESEARCH LABORATORY SPACE AT THE UNIVERSITY OF ROCHESTER, ROCHESTER, N.Y.

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., transmitting, pursuant to law, a report on the provision of additional research laboratory space at the University of Rochester, Rochester, N.Y. (with an accompanying report); to the Committee on Aeronautical and Space Sciences.

AMENDMENT OF FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to amend the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, to provide for more effective regulation under such act, and for other purposes (with an accompanying paper); to the Committee on Agriculture and Forestry.

REPORT ON PROVISION OF WAR RISK INSURANCE AND CERTAIN MARINE AND LIABILITY INSURANCE FOR THE AMERICAN PUBLIC

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report on the provision of war risk insurance and certain marine and liability insurance for the American public, as of June 30, 1965 (with an accompanying report); to the Committee on Commerce.

AMENDMENT OF ACT RELATING TO PROPOSED CONSTRUCTION OF A NEW SEA LEVEL CANAL CONNECTING THE ATLANTIC AND PACIFIC OCEANS

A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a draft of proposed legislation amending sections 2 and 4 of the act approved September 22, 1964 (78 Stat. 990), providing for an investigation and study to determine a site for the construction of a new sea level canal connecting the Atlantic and Pacific Oceans (with an accompanying paper); to the Committee on Commerce.

PROPOSED RAISING OF MAXIMUM AGE LIMIT OF SCHOOLCHILDREN ENTITLED TO TRANSPORTATION IN THE DISTRICT OF COLUMBIA AT A REDUCED FARE

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to raise the maximum age limit of schoolchildren entitled to transportation in the District of Columbia at a reduced fare (with an accompanying paper); to the Committee on the District of Columbia.

REPORT ON CERTAIN PERSONAL AND REAL PROPERTY RECEIVED BY STATE SURPLUS PROPERTY AGENCIES

A letter from the Acting Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report on personal property received by State surplus property agencies for distribution to public health

and educational institutions and civil defense organizations, and real property disposed of to public health and educational institutions, for the quarter ended June 30, 1965 (with an accompanying report); to the Committee on Government Operations.

REPORTS OF ACTING COMPTROLLER GENERAL

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on review of collection of excess-weight costs incurred in shipping household goods, Department of the Army, dated August 1965 (with an accompanying report); to the Committee on Government Operations.

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on shipment of excess aeronautical spare parts to Oklahoma City Air Materiel Area by Air Force bases, Department of the Air Force, dated August 1965 (with an accompanying report); to the Committee on Government Operations.

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on cost of indirect procurement of F-105 aircraft multiple-ejector bomb-rack assemblies, Department of the Air Force, dated August 1965 (with an accompanying report); to the Committee on Government Operations.

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on additional costs incurred in the management of automatic data processing equipment at National Aviation Facilities Experimental Center, Federal Aviation Agency, dated August 1965 (with an accompanying report); to the Committee on Government Operations.

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on retention of obsolete telephone cable, Department of the Army, dated August 1965 (with an accompanying report); to the Committee on Government Operations.

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on deficiencies in administration of donable surplus personal property program for educational and public health purposes in the State of Missouri, Department of Health, Education, and Welfare, dated August 1965 (with an accompanying report); to the Committee on Government Operations.

REPORT ON RECEIPT OF APPLICATION FOR A LOAN UNDER THE SMALL RECLAMATION PROJECTS ACT

A letter from the Secretary of the Interior, reporting, pursuant to law, on the receipt of an application by the Roosevelt Water Conservation District of Higley, Ariz., for a loan under the Small Reclamation Projects Act (with accompanying papers); to the Committee on Interior and Insular Affairs.

PROPOSED DISPOSITION OF FUNDS APPROPRIATED IN FAVOR OF THE DUWAMISH TRIBE OF INDIANS

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to provide for the disposition of funds appropriated to pay a judgment in favor of the Duwamish Tribe of Indians in Indian Claims Commission docket No. 109, and for other purposes (with accompanying papers); to the Committee on Interior and Insular Affairs

PROPOSED DISPOSITION OF FUNDS APPROPRIATED IN FAVOR OF THE OTOE AND MISSOURIA TRIBE OF INDIANS

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to provide for the disposition of funds appropriated to pay a judgment in favor of the Otoe and Missouria Tribe of Indians, and for other purposes (with accompanying papers); to the Committee on Interior and Insular Affairs.

PROPOSED DISPOSITION OF FUNDS APPROPRIATED IN FAVOR OF THE QUILEUTE TRIBE OF INDIANS

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to provide for the disposition of funds appropriated to pay a judgment in favor of the Quileute Tribe of Indians, including the Hoh Tribe, and for other purposes (with accompanying papers); to the Committee on Interior and Insular Affairs.

REPORT ON CLAIMS PRESENTED UNDER THE MILITARY PERSONNEL AND CIVILIAN EMPLOYEES' CLAIMS ACT OF 1964

A letter from the Deputy Postmaster General, transmitting, pursuant to law, a report on claims presented under the Military Personnel and Civilian Employees' Claims Act of 1964, for the fiscal year 1965 (with an accompanying report); to the Committee on the Judiciary.

RESOLUTION OF CALIFORNIA STATE RECREATION COMMISSION

The VICE PRESIDENT laid before the Senate a resolution adopted by the California State Recreation Commission, in San Francisco, Calif., relating to the 4-percent charge in lease agreements for certain areas within the national forests, which was referred to the Committee on Agriculture and Forestry.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. STENNIS, from the Committee on Appropriations, with amendments:

H.R. 10323. An act making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1966, and for other purposes (Rept. No. 620).

By Mr. LONG of Louisiana, from the Committee on Finance, with amendments:

H.R. 4750. A bill to provide an extension of the interest equalization tax, and for other purposes (Rept. No. 621).

By Mr. FULBRIGHT, from the Committee on Foreign Relations, without amendment:

H.R. 10132. An act to authorize the Honorable JOSEPH W. MARTIN, JR., of Massachusetts, former Speaker of the House of Representatives to accept the award of the Military Order of Christ with the rank of grand officer (Rept. No. 622).

EXECUTIVE REPORT OF A COMMITTEE

As in the executive session,

The following favorable report of a nomination was submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

Robert W. Akers, of Texas, to be Deputy Director of the U.S. Information Agency.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BIBLE (for himself and Mr. CANNON):

S. 2422. A bill to amend the act of April 22, 1960, as amended relative to the transfer of certain public lands to the Colorado River Commission of Nevada; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. BIBLE when he introduced the above bill, which appear under a separate heading.)

By Mr. YARBOROUGH (for himself and Mr. TOWER):

S. 2423. A bill to authorize the Secretary of the Interior to provide for rehabilitation of the distribution system, Red Bluff project, Texas; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. YARBOROUGH when he introduced the above bill, which appear under a separate reading.)

By Mr. TOWER:

S. 2424. A bill to amend title XI of the Federal Aviation Act of 1958 to provide that certain provisions of insurance contracts covering loss of life or personal injury of passengers being transported in air transportation shall be null and void; and

S. 2425. A bill to promote commerce and to encourage worldwide interest in U.S. developments and accomplishments in aviation and related equipment and products by authorizing Government sponsorship of an International Aerospace and Science Exposition at Dulles International Airport; to the Committee on Commerce.

S. 2426. A bill to permit nonprofit educational institutions and museums to acquire and hold specimens of gold coins and medals minted after April 4, 1933; to the Committee on Banking and Currency.

(See the remarks of Mr. TOWER when he introduced the above bills, which appear under separate headings.)

By Mr. BYRD of West Virginia:

S. 2427. A bill for the relief of Harry Papadimulis, his wife, Irene Papadimulis, and their son, Aristotel Papadimulis; to the Committee on the Judiciary.

TRANSFER OF CERTAIN LANDS TO THE COLORADO RIVER COMMISSION OF THE STATE OF NEVADA

Mr. BIBLE. Mr. President, I introduce, for appropriate reference, a bill to amend Public Law 86-433 authorizing the transfer of certain public lands to the Colorado River Commission of the State of Nevada. The bill would conform the eastern boundary of the Fort Mohave transfer area to the boundary line established by the compact between the States of Arizona and Nevada, approved by Congress by the act of June 16, 1961.

This bill, Mr. President, is technical in nature, and is designed to include certain fractional sections of land which as a result of the compact are actually within the transfer area.

I am hopeful this bill will receive the prompt attention of Congress so that we can take the action necessary to preclude technical difficulties which could be encountered in the future administration of the Fort Mohave Act.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2422) to amend the act of April 22, 1960, as amended, relative to the transfer of certain public lands to the Colorado River Commission of Nevada, introduced by Mr. BIBLE (for himself and Mr. CANNON), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

Mr. CANNON. Mr. President, I join the distinguished senior Senator from Nevada in expressing the hope that our bill will receive prompt and favorable consideration.

As my colleague has stated, certain fractional sections of land within the

transfer area of the Fort Mohave Act are not included in the technical language of the act because of the rechanneling of the Colorado River.

Our bill would include these small sections of land within terms of the act and establish the eastern boundary of the transfer area as the line established by the compact between Nevada and Arizona, approved by Congress on June 16, 1961.

Adoption of this bill, which is meant to perfect the Fort Mohave Act, will eliminate the possibility that dispute involving these fractional lands will arise in the future.

A BILL FOR REHABILITATION OF DISTRIBUTION SYSTEM, RED BLUFF IRRIGATION PROJECT

Mr. YARBOROUGH. Mr. President, I am happy to introduce, for myself and my colleague [Mr. TOWER], a bill designed to restore the economic stability and productivity in a significant area of my home State of Texas by rehabilitating the Red Bluff irrigation project.

The Red Bluff area is comprised of portions of four counties—Reeves, Loving, Pecos, and Ward. All of these are situated in the Pecos River Basin, and all have traditionally made use of the river for irrigation.

The Pecos River has been the mother of development in this area. From its waters an oasis was created—an oasis which gave life to many small farms. Forty years ago one saw here a growing area of hardworking people using irrigation to sustain their crops and their hopes. Yet, in the time which has elapsed since then, progress has not lived up to expectations. The reason can be found in the cold and concrete facts of water supply.

In the last 10 years the maximum acreage irrigated was 29,800. While this figure appears reasonably sizable, there were 5 years out of the 10 in which the acreage was below 5,000. It is this inconsistency which is particularly damaging. With such a wide range of possible acreage to receive water, planning becomes virtually impossible, what plans are made are often frustrated, investments may be swallowed up by the dry earth, and many marginal farmers are hurt, if not ruined.

The Bureau of Reclamation plan for rehabilitation which this bill would authorize meets the problem in this area head on. The plan envisages a concrete-lined canal instead of the bed of the Pecos River below Mentone, which is presently in use. This canal is expected to deliver 75 percent of the available water to farms. At present, only 45 percent reaches the irrigation ditches due to seepage and transpiration by phreatophytes. This would mean that under the rehabilitation plan farm deliveries of irrigation water would be increased by 67 percent, or 26,700 acre-feet annually. And the inception of the plan would mean a dependable source of water on which farmers could base crop plans and expectations of yield and gross income. It is estimated that this project would yield a consistent water supply for 22,000 acres and an intermittent supply for an additional 13,000 acres.

Water, however, is not an absolute good. Quality is essential to its use in irrigation. This problem is somewhat harder to attack than that of quantity, but estimates indicate that the Bureau plan will improve quality of the available water by 10 percent.

This problem cannot be discussed in terms of water and acre-feet alone. It is a problem deeply concerning the lives and happiness of farmers, their families, and the businesses they support. And these are the people who are willing to work for and cooperate in support of this project. They are agreed that their water supply be well managed in order to be well utilized. They are willing to agree that the supply will be used only on free-draining soils capable of sustained irrigation. The people of this area also agree that the distribution of benefits from this project must be handled in an equitable manner. Thus this bill provides that each of the seven irrigation districts now existing under Red Bluff Dam will receive some of the acreage allotment to be supplied with water. The equity provisions of this act extend down to the individual landowner, no one of whom may receive more water than is reasonably necessary to irrigate 160 acres of free-draining land capable to sustained irrigation.

The people of this area also are willing to support as much of the project as their financial capabilities permit. Their repayment capacity will be reviewed every 5 years to facilitate their repaying as much as possible of the Federal investment. They are also willing to undertake the rehabilitation of the laterals at their own expense.

This project contains all the ingredients for success. It is theoretically sound in providing a basis from which these people can work to improve their lives and their community. It is also well thought out to provide immediate and appropriate action. Its excellent prospects for this action being taken can be found in the people themselves who are committed to shouldering much of the burden in executing this plan. For these reasons I introduce this bill; the problem is evident, and I hope that the solution is imminent.

Mr. TOWER. Mr. President, with great satisfaction I am today cosponsoring a bill to authorize the Bureau of Reclamation to undertake rehabilitation of the Red Bluff project in my home State of Texas. This work is urgently needed to restore vitality to a sizable area in the western part of the State. With the passage of this legislation Congress will be making a solid contribution toward conservation.

The Red Bluff area includes portions of four counties situated in the Pecos River Basin. These counties are Reeves, Loving, Pecos, and Ward, and all are in great need of the area development assistance contemplated by rehabilitation of the water supply system in the Red Bluff area.

The known use of water from the Pecos River for irrigation dates back to 1877. Those who saw this area 40 years ago recall that it was a veritable garden in the midst of a vast desert. Today, one can only say that it is rapidly returning to the desert because the water available for irrigation has been unsuitable in quality and grossly inadequate in quantity. The Bureau of Reclamation plan for rehabilitation which this bill would authorize would greatly alleviate the situation. Unfortunately, it is not possible to remove these problems entirely, but new hope can be given to the people who reside in these counties. Once again this garden in the west of Texas can be made to bloom.

In 5 of the last 10 years fewer than 5,000 acres have been irrigated under the Red Bluff project, and even these have had an inadequate supply. In 2 of the other 5 years fewer than 20,000 acres were irrigated, and the maximum acreage in any of these years was 29,800.

Of the water available in Red Bluff Reservoir today an average of only 45 percent reaches the land for irrigation because of seepage losses and transpiration of phreatophytes such as salt cedars. The Bureau plan of rehabilitation contemplates a concrete-lined canal to replace the present-day use of the bed of the Pecos River below Mentone. As a result of this canal, engineers of the Bureau of Reclamation estimate that 75 percent of the available water would be delivered to the farms. It is estimated that this rehabilitation plan would increase farm deliveries of irrigation water by 67 percent, or 26,700 acre-feet annually.

With rehabilitation the Red Bluff project would provide a dependable water supply for 22,000 acres and an intermittent supply for an additional 13,000 acres. It is estimated that the quality of the water would be improved by 10 percent under this plan.

The fine people who live in this area realize that good management of their water resources will be necessary if their garden spot is to be successfully restored. Consequently, they are prepared to agree that their water supply will be used only on free-draining soils capable of sustained irrigation. They are prepared to assume this responsibility, and provision is made for it in the bill introduced today.

The people in the Red Bluff area also recognize that the benefits of rehabilitation should be spread widely over the area. As noted in the Bureau report the acreage to be supplied will be apportioned among the seven irrigation districts now existing under Red Bluff Dam. The bill provides that no individual landowner shall receive more water than that reasonably necessary to irrigate 160 acres of free-draining lands capable of sustained irrigation. This provision is wholly in keeping with the land limitation provisions of reclamation law.

The people in the area will rehabilitate the laterals at their own expense. In addition they are willing to have their repayment capacity reviewed every 5 years so that they will repay all that they can of the Federal investment.

In conclusion, the bill will rescue the people of this fine area in west Texas from economic desolation. No legisla-

tion could have a more worthy and urgent objective.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2423) to authorize the Secretary of the Interior to provide for rehabilitation of the distribution system, Red Bluff project, Texas, introduced by Mr. YARBOROUGH (for himself and Mr. TOWER), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

AMENDMENT OF TITLE XI OF FEDERAL AVIATION ACT OF 1958, RELATING TO CERTAIN PROVISIONS OF INSURANCE CONTRACTS

Mr. TOWER. Mr. President, great public concern has been expressed relative to the subject of aircraft sabotage. The general public has expressed much interest in this subject, as well as many of the commercial airline pilots and the Air Line Pilots Association.

The pilot group, through their association, have been active in attacking the problem of aircraft sabotage.

Legislation has been introduced in the House which would enable greater cockpit security, thus affording greater protection to the operating crew as well as to the traveling public. In addition to the introduction of this legislation, representatives of the Air Line Pilots Association recently met with representatives of the Federal Aviation Agency and the Air Transport Association to endeavor to institute additional cockpit security measures on the agency level. These measures are necessary, Mr. President, as pointed up by the heinous mass murder committed May 7, 1964. This incident cost the lives of 44 people riding in a Pacific Airlines F-27 from Reno, Nev., to Los Angeles, Calif. The pilot and the copilot of this plane were shot by some demented passenger and all aboard died.

The Air Line Pilots Association is also interested in, and the FAA is sponsoring, research on an explosive material detection service. It is my understanding that there are two such devices under study. Such an innovation would detect or destroy an explosive material in the baggage of the various passengers. At this time, these devices are in the experimental stages.

I point out the foregoing to show that interested parties have instituted an overall program for the benefit of the general public, as well as the various flight crews. Another step in this program contemplates the destruction of the motive for such crimes; that is, profit.

From October 10, 1933, to date, there have been several hundred lives lost in known or suspected aircraft sabotage incidents. In many of these cases, the motive was pure and simple—murder for profit. In others, profit, in conjunction with other motives, but always profit.

In the Pacific Airlines crash I previously noted, the passenger suspected of murdering the flight crew and causing the deaths of all aboard had purchased $105,000 in air travel insurance. He was heavily in debt and half of his salary was committed for loan payments. He was in an extremely depressed state of mind. The trip insurance was purchased at the San Francisco Airport in the form of two policies—one for $45,000, and the other for $60,000.

Radio transmission from the plane to the tower just prior to the crash disclosed the initial information on the shooting. Subsequent investigation by the Civil Aeronautics Board confirmed this horrible crime. It is obvious that the motive for this crime was profit and the means of securing the profit was the purchase of air trip insurance.

Just a short time ago, a Canadian Pacific DC-6 was lost along with the lives of more than 50 passengers who were aboard the airliner. Initial investigation disclosed that the aircraft went down as the result of an explosion. The Royal Canadian Mounted Police investigating the crash impounded all of the air trip insurance records of the passengers aboard.

It is interesting to note that the FBI is today checking to discover whether any of the passengers on the plane en route to Chicago that went down in Lake Michigan last night had taken out large sums of insurance before the plane left La Guardia Field.

It is possible that there is no complete answer to the problem of aircraft sabotage, but I do not believe that the problem will go away if we try to sweep it under the rug or bury our heads in the sand and ignore it. I believe that all logical corrective measures possible should be adopted. I hope this bill will receive the serious consideration of my colleagues.

Mr. President, this bill will provide that contracts of insurance, purporting to limit the coverage to a specified trip in air transportation shall be null and void.

This is a measure long overdue, and consideration of it by the Senate is long overdue.

I wonder how many lives are going to be lost as a result of acts of demented people trying to assure that their beneficiaries will collect large sums of money.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2424) to amend title XI of the Federal Aviation Act of 1958 to provide that certain provisions of insurance contracts covering loss of life or personal injury of passengers being transported in air transportation shall be null and void, introduced by Mr. TOWER, was received, read twice by its title, and referred to the Committee on Commerce.

INTERNATIONAL AEROSPACE AND SCIENCE EXPOSITION AT DULLES INTERNATIONAL AIRPORT

Mr. TOWER. Mr. President, this bill provides for the establishment of an International Aerospace and Science Exposition at Dulles International Airport.

We have noted that other countries have recently expressed interest in establishing themselves such programs, with corresponding benefits accruing to these countries.

I believe this exposition would do much to encourage worldwide interest in U.S. developments and accomplishments in aviation and related equipment and products.

The bill provides for the Presidential appointment of officers and employees to assist in conducting the exposition. Donations of money, property, and personal services will be accepted. Any property acquired under the bill will become the property of the Federal Aviation Agency.

Mr. President, the bill authorizes the appropriation of a modest $3 million with which to carry out the exposition.

I feel that the benefits to our Nation, which will undoubtedly accrue as a result of such International Aerospace and Science Exposition, will be many indeed.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2425) to promote commerce and to encourage worldwide interest in U.S. developments and accomplishments in aviation and related equipment and products by authorizing Government sponsorship of an International Aerospace and Science Exposition at Dulles International Airport, introduced by Mr. TOWER, was received, read twice by its title, and referred to the Committee on Commerce.

ACQUISITION AND HOLDING OF SPECIMENS OF GOLD COINS AND MEDALS BY NONPROFIT EDUCATIONAL INSTITUTIONS

Mr. TOWER. Mr. President, I introduce, for appropriate reference, a bill to amend the Gold Reserve Act of 1934. I ask that the text of the bill be printed at the conclusion of my remarks.

Mr. President, since 1933 the Treasury Department has regulated closely the acquisition and possession of gold coins. This has been done in accordance with authority granted under the Gold Acts and Orders of 1933 and 1934. These laws prohibit the acquiring and holding of all gold coins except those which the Treasury Department considers to be of value to numismatists.

The Treasury's present gold coin policy is based on a 1954 ruling which states that any gold coin minted prior to April 5, 1933, would be considered not to be of numismatic value, unless a specific determination is made by the Treasury Department with reference to the Curator of Numismatics of the U.S. National Museum, who is the Government authority on the subject. Prior to 1954, rulings were made on individual coins, no matter what the date.

Mr. President, it is my considered opinion that the present regulations are unnecessarily stringent, that they arbitrarily and unnecessarily obstruct the acquisition of gold coins for numismatic purposes.

The objectives of the present regulation are: First, to prevent institutions and private individuals from hoarding

gold; and second, to discourage foreign countries from minting gold coins expressly for raising funds or for dollar exchange from the sale of such coins to the United States.

No one disputes these objectives; they are undoubtedly necessary. However, the regulations which seek to accomplish these objectives go too far. In seeking necessary protection, they have the unfortunate side effect of preventing the legitimate showing of many post-1933 gold coins to the numismatic public.

Mr. President, I believe the time has come to change, just slightly, the present regulations. My bill seeks to make such changes to benefit the numismatic public while at the same time guarding against any adverse effects feared by the Treasury. As presently constituted, my bill would permit any legitimate, nonprofit educational institution or museum to acquire and display one specimen of each gold coin and medal minted after April 4, 1933.

As stated before, the Treasury Department does allow the acquisition of a few post-1933 gold coins which it considers to be of numismatic value. However, the Department's interpretation of what constitutes numismatic value is quite narrow. By and large, the Department seems to classify a gold coin as having numismatic value only if the coin will draw a high price in the coin market. It ignores such criteria as esthetic, historical, and cultural value. As a result, the numismatic public is deprived of the opportunity to view coins that have real interest value if not monetary value. My bill would do away with the unnecessary and burdensome distinction the Treasury Department now makes.

I would point out that my bill would permit only museums and other nonprofit educational institutions to acquire gold coins. This provision has a double virtue. On the one hand, if the bill is enacted, the numismatic public would be able to view gold coins displayed in such institutions. On the other hand, by limiting the right of acquisition to nonprofit educational institutions and museums, and by limiting the number of coins which can be acquired to one specimen of each coin, the bill avoids the economic dangers which might result from a more permissive law.

Mr. President, I have previously corresponded with the Treasury Department regarding this matter. General objections were expressed to my approach on the grounds that it would be unwise and unfair to treat individuals and others differently from tax-exempt educational institutions and museums.

I believe to make a distinction between nonprofit educational institutions and private individuals is the safest way to permit the numismatic public to enjoy a greater variety of gold coins while at the same time avoiding the economic dangers inherent in a less-restricted traffic in gold coins. Furthermore, nonprofit educational institutions and museums are public-serving institutions. Their reason for being is to contribute to the enlightenment and enrichment of the public. Displaying a wide and interesting variety of gold coins is one way in which they can do this. As nonprofit institutions, they are not concerned with their own financial aggrandizement. Thus they are set apart from private collectors who would stand to benefit financially from active participation in a less restricted gold coin market. Surely, in view of these considerations, it is only fitting that we should accord special status to nonprofit educational institutions and museums displaying gold coins for public benefit.

Mr. President, I hope that this bill will receive the support of my colleagues. The present restrictions on the right of nonprofit educational institutions and museums to acquire and display gold coins is unnecessarily stringent. The time has come to modify them, and by so doing, to enable the numismatic public to derive greater benefit and enjoyment from such coins.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2426) to permit nonprofit educational institutions and museums to acquire and hold specimens of gold coins and medals minted after April 4, 1933, introduced by Mr. TOWER, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Gold Reserve Act of 1934 (31 U.S.C. 442) is amended by adding at the end thereof the following new sentence: "No regulations issued pursuant to this section or any other provision of law shall prohibit the acquisition or holding by any nonprofit educational institution or museum of one specimen of each gold coin and medal minted after April 4, 1933."

AMENDMENT TO UNEMPLOYMENT COMPENSATION BILL TO PROVIDE INTERIM BENEFITS FOR PERSONS BETWEEN THE AGES OF 60 AND 65 WHO ARE TECHNOLOGICALLY OR REGIONALLY UNEMPLOYABLE

AMENDMENT NO. 402

Mr. JAVITS. Mr. President, I submit, for appropriate reference, an amendment to S. 1991, the unemployment compensation bill of which I am a cosponsor. This amendment would provide continued unemployment compensation for persons over age 60 who are not of sufficient age to retire under social security but who are unemployed either because their skills have become obsolete due to technological change or because they reside in an area designated as a redevelopment area under the Area Redevelopment Act where their skills are no longer needed.

This proposed legislation is designed to meet the needs of a portion of our population which has suffered greatly because of technological and/or regional changes in our economy but which has not been able to benefit from the numerous Federal programs enacted by the Congress in an attempt to meet the problems of technological and regional unemployment. In the latest Labor Department "Report on Manpower Requirements, Resources, Utilization, and Training," the Department points out that older workers are seriously underrepresented among trainees under the Manpower Development and Training Act. Although workers over 45 comprise more than one-fourth of the unemployed, they comprised only one-tenth of the Manpower Development and Training Act institutional trainees and only one-twelfth of the on-the-job trainees in 1964. As compared with men over 45, the plight of unemployed men over 60 can only be worse. The Labor Department points out, moreover, that enrollment of older workers in training programs under Manpower Development and Training Act "has been inhibited by age limits on hiring and the reasonable expectation of employment proviso" in the act.

Our experience under Manpower Development and Training Act is backed up by the experience of our Canadian neighbors dealing with the same problem. The Director of the Bureau of Employment Security, U.S. Employment Service, reported only last May that "a recently initiated program in Canada, paying up to 50 percent of the salary of the older worker if the employer would hire and train him has not proven successful and will undoubtedly be abandoned."

In considering the employment problems of those over 60, there must surely be taken into consideration the factor of arbitrary employment discrimination on account of age. I have already introduced a bill, S. 1752, which would make it unlawful to so discriminate when the reasonable demands of the job do not require any age distinction.

But the enactment of such antidiscrimination legislation will not take care of the entire problem of the aged worker who is unemployable because his skills are simply obsolete, and is of an age such that retraining under the Manpower Development and Training Act is not feasible.

In my view, and I hope in the view of the Congress, the technologically or regionally unemployable person over 60 ought not to be abandoned by our society but instead ought to receive continued unemployment insurance until he is old enough to retire and draw full benefits under the Social Security Act.

This amendment would establish the following qualifications for continuation of unemployment benefits after exhaustion of all other entitlement under the bill: A person would qualify if (A) he is between the ages of 60 and 65; (B) he is unemployed; (C) he is registered with the State or Federal employment office nearest his home, and (D) either (1) the Secretary of Labor has certified that the applicant is a person whose employment skills have become obsolete by reason of automation, technological change, or other reasons beyond his control; or (2) he resides in an area designated as a redevelopment area under the Area Redevelopment Act and the Secretary of Labor certifies that the applicant does not possess an employment skill for

which there is a demand in that area or in an area where he could feasibly be relocated.

Mr. President, I ask unanimous consent that the text of the amendment be printed in the RECORD.

The VICE PRESIDENT. The amendments will be received, printed, and appropriately referred; and, without objection, the amendments will be printed in the RECORD.

The amendments (No. 402) were referred to the Committee on Finance, as follows:

On page 23, line 23, strike out all after "State" and insert "law."

On page 23, after line 23, add the following:

"EXTENDED ELIGIBILITY FOR CERTAIN INDIVIDUALS OVER AGE 60

"SEC. 215. (a) Notwithstanding the provisions of any other section of this title, an individual may not be denied Federal unemployment adjustment benefits for any week solely because he has, prior to such week, received the maximum aggregate amount of Federal unemployment adjustment benefits payable in a single Federal benefit period (as provided in section 2005 (b)) if—

"(1) such week occurs after such individual has attained age 60, but before he has attained age 65.

"(2) such individual (A) has been certified by the Secretary of Labor as being an individual whose employment skills have become obsolete by reason of automation, technological change, or other reasons beyond his control, or (B) resides in an area designated as a redevelopment area under section 5 of the Area Redevelopment Act, and has been certified by the Secretary of Labor as an individual who does not possess any employment skill for which there is an unfulfilled demand in the area in which he lives or in an area in which he could feasibly be relocated, and

"(3) he is registered as a person seeking employment at the State or Federal employment office nearest his place of residence."

On page 27, line 20, strike out "three-elevenths" and insert "one-third".

On page 27, line 23, strike out "one-fifth" and insert "three-elevenths".

On page 29, line 14, strike out "$850 million" and insert "$1,093,000,000".

On page 29, line 15, strike out "0.35 percent" and insert "0.45 percent".

On page 33, line 16, strike out "3.25 percent" and insert "3.30 percent".

On page 34, lines 1 and 2, strike out "3.25 percent" and insert "3.30 percent".

On page 34, line 8, strike out "3.20 percent" and insert "3.25 percent".

ADDITIONAL COSPONSOR OF BILL

Mr. MILLER. Mr. President, I ask unanimous consent that, at the next printing of the bill (S. 1952) to establish a national policy and program with respect to wild predatory animals, my name be added as a cosponsor.

The VICE PRESIDENT. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF AMENDMENT NO. 391

Mr. FANNIN. Mr. President, I ask unanimous consent that the names of Senators CARLSON, DOMINICK, HRUSKA, JORDAN of Idaho, MURPHY, PROUTY, LAUSCHE, DIRKSEN, COTTON, PEARSON, SCOTT, SALTONSTALL, SIMPSON, TOWER, MILLER, THURMOND, and HOLLAND be added as cosponsors of amendment No. 391, to House bill 8283, now pending before the Senate.

The VICE PRESIDENT. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF JOINT RESOLUTION

Under authority of the order of the Senate of August 11, 1965, the names of Mr. ALLOTT, Mr. BENNETT, Mr. BIBLE, Mr. COOPER, Mr. COTTON, Mr. CURTIS, Mr. DOMINICK, Mr. EASTLAND, Mr. FANNIN, Mr. FONG, Mr. HICKENLOOPER, Mr. HOLLAND, Mr. JORDAN of Idaho, Mr. KUCHEL, Mr. LAUSCHE, Mr. MCCLELLAN, Mr. MORTON, Mr. MUNDT, Mr. MURPHY, Mr. PEARSON, Mr. PROUTY, Mr. ROBERTSON, Mr. SALTONSTALL, Mr. SCOTT, Mr. SIMPSON, Mr. STENNIS, Mr. THURMOND, Mr. TOWER, and Mr. WILLIAMS of Delaware were added as additional cosponsors of the joint resolution (S.J. Res. 103) proposing an amendment to the Constitution of the United States to preserve to the people of each State power to determine the composition of its legislature and the apportionment of the membership thereof in accordance with law and the provisions of the Constitution of the United States, introduced by Mr. DIRKSEN (for himself and Mr. HRUSKA) on August 11, 1965.

ENROLLED BILL AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, August 17, 1965, he presented to the President of the United States the following enrolled bill and joint resolution:

S. 1309. An act to authorize checks to be drawn in favor of financial organizations for the credit of a person's account, under certain conditions; and

S.J. Res. 81. Joint resolution to amend the Federal-Aid Highway Act of 1956 to increase the amount authorized for the Interstate System for the fiscal year ending June 30, 1967, to authorize the apportionment of such amount, and for other purposes.

NOTICE OF RECEIPT OF NOMINATIONS BY COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that today the Senate received the nominations of Joseph John Sisco, of Maryland, a Foreign Service officer of class 1, to be an Assistant Secretary of State, vice Harlan Cleveland; Raymond A. Hare, of West Virginia, a Foreign Service officer of the class of career ambassador, to be an Assistant Secretary of State, vice Phillips Talbot; Phillips Talbot, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Greece; Harlan Cleveland, of New York, to be the U.S. permanent representative on the Council of the North Atlantic Treaty Organization, with the rank and status of Ambassador Extraordinary and Plenipotentiary, vice Thomas K. Finletter; John Gordon Mein, of Maryland, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Guatemala; Raymond L. Thurston, of Missouri, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Somali Republic; and Wilson T. M. Beale, Jr., of Connecticut, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Jamacia.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the bill (S. 511) to increase the authorization of appropriations for the support of the Gorgas Memorial Laboratory, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the joint resolution (S.J. Res. 53) to establish a tercentenary commission to commemorate the advent and history of Father Jacques Marquette in North America, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the following concurrent resolutions of the Senate:

S. Con. Res. 11. Concurrent resolution authorizing the printing of additional copies of the hearings held by the Senate Subcommittee on National Security Staffing and Operations during the 88th Congress;

S. Con. Res. 37. Concurrent resolution authorizing the printing for the use of the Senate Committee on the Judiciary of additional copies of its hearings on economic concentration; and

S. Con. Res. 38. Concurrent resolution to authorize the printing of additional copies of a committee print of the Committee on the Judiciary entitled "The Soviet Empire—A Study in Discrimination and Abuse of Power."

The message also announced that the House agreed to the amendment of the Senate to the bill (H.R. 881) to authorize the establishment of the Alibates Flint Quarries and Texas Panhandle Pueblo Culture National Monument.

The message further announced that the House agreed to the amendments of the Senate to the bill (H.R. 89) to authorize establishment of the Delaware Valley National Recreation Area, and for other purposes.

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

H.R. 872. An act to amend the provisions of title 18 of the United States Code relating to offenses committed in Indian country;

H.R. 1805. An act to amend section 5899 of title 10, United States Code, to provide permanent authority under which Naval Reserve officers in the grade of captain shall be eligible for consideration for promotion when their running mates are eligible for consideration for promotion;

H.R. 3041. An act to amend title 10, United States Code, to exempt certain contracts with foreign contractors from the requirement for an examination-of-records clause;

H.R. 5984. An act to amend sections 2275 and 2276 of the Revised Statutes, as amended, with respect to certain lands granted to the States;

H.R. 6007. An act to amend title 10, United States Code, to authorize the promotion of qualified Reserve officers of the Air Force to the Reserve grades of brigadier general and major general;

H.R. 6165. An act to repeal section 165 of the Revised Statutes relating to the appointment of women to clerkships in the executive departments;

H.R. 6431. An act to amend the Tariff Act of 1930 to provide that certain forms of nickel be admitted free of duty;

H.R. 6438. An act to authorize any executive department of independent establishment of the Government, or any bureau or office thereof, to make appropriate accounting adjustment or reimbursement between the respective appropriations available to such departments and establishments, or any bureau, or office thereof;

H.R. 6646. An act to amend the Recreation and Public Purposes Act pertaining to the leasing of public lands to States and their political subdivisions.

H.R. 7327. An act to repeal section 7043 of title 10, United States Code;

H.R. 8635. An act to establish a Federal Boxing Commission to exercise surveillance over professional boxing matches broadcast or disseminated by wire in interstate commerce, and for other purposes;

H.R. 8715. An act to authorize a contribution by the United States to the International Committee of the Red Cross;

H.R. 9336. An act to amend title V of the International Claims Settlement Act of 1949 relating to certain claims against the Government of Cuba;

H.R. 9544. An act to authorize the disposal, without regard to the prescribed 6-month waiting period, of approximately 620,000 long tons of natural rubber from the national stockpile;

H.R. 9975. An act to authorize the shipment, at Government expense, to, from, and within the United States and between oversea areas of privately owned vehicles of deceased or missing personnel, and for other purposes; and

H.R. 10305. An act to authorize the disposal, without regard to the prescribed 6-month waiting period, of approximately 124,200,000 pounds of nickel from the national stockpile.

The message further announced that the House had agreed to the following concurrent resolutions, in which it requested the concurrence of the Senate:

H. Con. Res. 453. Concurrent resolution expressing the approval of Congress for the disposal of magnesium from the national stockpile;

H. Con. Res. 454. Concurrent resolution expressing the approval of Congress for the disposal of diamond dies from the national stockpile and nonstockpile bismuth alloys; and

H. Con. Res. 455. Concurrent resolution expressing the approval of Congress for the disposal of hyoscine from the national stockpile.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 1309. An act to authorize checks to be drawn in favor of financial organizations for the credit of a person's account, under certain conditions;

H.R. 546. An act to authorize the Secretary of the Army to adjust the legislative jurisdiction exercised by the United States over lands within Camp McCoy Military Reservation, Wis.;

H.R. 3037. An act to amend section 1485 of title 10, United States Code, relating to the transportation of remains of deceased dependents of members of the Armed Forces, and for other purposes;

H.R. 3044. An act to authorize payment of incentive pay for the performance of hazardous duty on the flight deck of an aircraft carrier;

H.R. 3320. An act to authorize the establishment of the Hubbell Trading Post National Historic Site, in the State of Arizona, and for other purposes;

H.R. 4024. An act for the relief of Lewis H. Nelson III;

H.R. 4025. An act for the relief of Terence J. O'Donnell, Thomas P. Wilcox, and Clifford M. Springberg;

H.R. 5034. An act to amend section 2575(a) of title 10, United States Code, to authorize the disposition of lost, abandoned, or unclaimed personal property under certain conditions;

H.R. 5819. An act for the relief of John Henry Taylor;

H.R. 7595. An act to amend title 10, United States Code, to authorize transportation at Government expense for dependents accompanying members of the uniformed services at their posts of duty outside the United States, who require medical care not locally available;

H.R. 7843. An act to amend titles 10 and 37, United States Code, to authorize the survivors of a member of the Armed Forces who dies while on active duty to be paid for his unused accrued leave;

H.R. 9947. An act to amend the Legislative Branch Appropriation Act, 1959, to provide for reimbursement of transportation expenses for Members of the House of Representatives, and for other purposes; and

H.R. 10306. An act to amend the Universal Military Training and Service Act of 1951, as amended.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred, as indicated:

H.R. 872. An act to amend the provisions of title 18 of the United States Code relating to offenses committed in Indian country; to the Committee on the Judiciary.

H.R. 1805. An act to amend section 5899 of title 10, United States Code, to provide permanent authority under which Naval Reserve officers in the grade of captain shall be eligible for consideration for promotion when their running mates are eligible for consideration for promotion;

H.R. 3041. An act to amend title 10, United States Code, to exempt certain contracts with foreign contractors from the requirement for an examination-of-records clause;

H.R. 6007. An act to amend title 10, United States Code, to authorize the promotion of qualified reserve officers of the Air Force to the reserve grades of brigadier general and major general;

H.R. 7327. An act to repeal section 7043 of title 10, United States Code;

H.R. 9544. An act to authorize the disposal, without regard to the prescribed 6-month waiting period, of approximately 620,000 long tons of natural rubber from the national stockpile;

H.R. 9975. An act to authorize the shipment, at Government expense, to, from, and within the United States and between oversea areas of privately owned vehicles of deceased or missing personnel, and for other purposes; and

H.R. 10305. An act to authorize the disposal, without regard to the prescribed 6-month waiting period, of approximately 124,200,000 pounds of nickel from the national stockpile; to the Committee on Armed Services.

H.R. 5984. An act to amend sections 2275 and 2276 of the Revised Statutes, as amended, with respect to certain lands granted to the States; and

H.R. 6646. An act to amend the Recreation and Public Purposes Act pertaining to the leasing of public lands to States and their political subdivisions; to the Committee on Interior and Insular Affairs.

H.R. 6165. An act to repeal section 165 of the Revised Statutes relating to the appointment of women to clerkships in the executive department; to the Committee on Post Office and Civil Service.

H.R. 6431. An act to amend the Tariff Act of 1930 to provide that certain forms of nickel be admitted free of duty; to the Committee on Finance.

H.R. 6438. An act to authorize any executive department of independent establishment of the Government, or any bureau or office thereof, to make appropriate accounting adjustment or reimbursement between the the respective appropriations available to such departments and establishments, or any bureau, or office thereof; to the Committee on Government Operations.

H.R. 8635. An act to establish a Federal Boxing Commission to exercise surveillance over professional boxing matches broadcast or disseminated by wire in interstate commerce, and for other purposes; to the Committee on Commerce.

H.R. 8715. An act to authorize a contribution by the United States to the International Committee of the Red Cross; and

H.R. 9336. An act to amend title V of the International Claims Settlement Act of 1949 relating to certain claims against the Government of Cuba; to the Committee on Foreign Relations.

HOUSE CONCURRENT RESOLUTIONS REFERRED

The following concurrent resolutions were referred to the Committee on Armed Services:

H. Con. Res. 453. Concurrent resolution expressing the approval of Congress for the disposal of magnesium from the national stockpile;

H. Con. Res. 454. Concurrent resolution expressing the approval of Congress for the disposal of diamond dies from the national stockpile and nonstockpile bismuth alloys; and

H. Con. Res. 455. Concurrent resolution expressing the approval of Congress for the disposal of hyoscine from the national stockpile.

PROPOSED CONSULAR CONVENTION WITH SOVIET UNION MORE TO ADVANTAGE OF UNITED STATES THAN TO RUSSIA

Mr. YOUNG of Ohio. Mr. President, it is evident from the tremendous volume of pressure mail I have been receiving from Ohio citizens expressing objection to the proposed consular convention with the Soviet Union, that these citizens have unfortunately been misinformed. Right-wing extremists have circulated pamphlets distorting the facts. Probably the authors of those pamphlets themselves never read this proposed consular convention upon which we Senators have been asked to advise and consent and ratify.

I consider if Ohio citizens had read the consular convention, the hearings before

the Foreign Relations Committee of the Senate, the majority report and the minority views, there would be no such volume of mail, including hundreds of postcards and letters that I have received evidencing a lack of understanding of this treaty or convention.

Some have stated that hearings should be held before the Senate votes to ratify. Those writers are ignorant of the fact that hearings were held.

The facts are that the Soviet Government has the right to open consulates in New York, San Francisco, and Los Angeles, and this Nation has the right to open consulates in cities within the Soviet Union, even if this consular convention were voted down in the Senate or had not been presented to the Senate. The Soviet Union closed its three consulates in our country in 1948. These were in New York, San Francisco, and Los Angeles. In turn, we closed our consulate in Vladivostok and refused to open a consulate in Leningrad and another Russian city. Permission had been given to open such consulates.

Ours is an open society. It is a fact that in nearly all of our embassies overseas we have CIA operatives, or spies, who are on the Embassy staffs. Of course, the Soviet Embassy in Washington also is staffed with spies who are listed as officials of the embassy. I have personally talked with some of our CIA operatives in our embassies in foreign countries and know the facts.

The Soviet Union with its satellites and our Nation with our satellites are maintaining surveillance taking pictures of missile installations. This consular treaty is more to the advantage of the United States than it is to the Soviet Union. Last year 12,000 American tourists visited the Soviet Union. Only 204 Russian tourists visited the United States during the same period. It is very important and helpful to American tourists to be able to go to the office of the American consul in countries whenever they encounter difficulty, financial or otherwise. This consular convention is definitely beneficial to Americans. The junior Senator from Ohio intends to vote in favor of ratification.

At the present time, assuming some of the more than 12,000 American tourists who will visit the Soviet Union during the present year lack sufficient funds, they would be compelled to go to the American Embassy in Moscow even though they were in some faraway city within the Soviet Union such as Vladivostok or somewhere closer to Leningrad. Furthermore, in event of a traffic accident or were they to be charged with some offense, however slight, they would now be at a disadvantage. They would not only have the language barrier but they would be altogether unfamiliar with the laws and ordinances of the Soviet Union. They would have no place to which to turn except to the U.S. Ambassador or some member of his staff. They might be many miles from our Embassy.

The facts are, the provisions of this convention are similar in substance to all consular conventions between the United States and other nations. Some misinformed individuals write me objecting that article 19, paragraph 2, of this convention, providing that all consular officials and employees who are nationals of the sending state shall be immune from the criminal jurisdiction of the receiving state. This paragraph, instead of being objectionable, is definitely to the advantage of our Nation. It insures the security of the U.S. Government consular personnel who are in the Soviet Union. The Soviet police have no right whatever to arrest any of our consular officials or employees. Nor have we any right to arrest Soviet consular officials and employees who are in their consulates within our country. We do have the right, which is a reciprocal right, to expel immediately from our territory as persona non grata any Soviet consular officials or employees who have allegedly violated any of our laws. We may expel any of such persons without announcing the reason. Russia has this right also.

Now, to the claim that some rightwing extremists make regarding the Soviet Embassy in Washington being staffed with spies. Of course, it is well known that intelligence agents, or spies, are on the staffs of embassies and consuls of the Soviet Union and on the staff of practically all embassies of the United States the world over and also on the staffs of any of our consulates wherever that staff consists of more than a very few individuals.

I recall distinctly an Ambassador to a Central American country regretfully reporting to me that he could place for my use only a rather old automobile which was provided for his use as Ambassador. He said that a new clerk, or attaché, on his staff had just come from the United States—he was at a very low echelon in his Embassy staff—and, unfortunately, this clerk brought with him the latest model Chrysler automobile and his blond secretary brought with her the latest model Chevrolet. He said, of course, the Russians and Chinese are not stupid. They knew immediately that he was a CIA agent instead of an Embassy clerk in which category he was listed.

The wisdom and good judgment of the Senate would be manifested by our ratifying this consular convention.

Mr. President, the ratification of the consular convention with the Soviet Union will not only further more normal relations with the Soviet Union, but will be another small step forward in the long road toward permanent peace.

It will not only help reduce sources of friction between us and the Russians but will encourage the Soviet Union to conduct itself like other responsible nations in its treatment of foreigners and foreign interests within its borders.

The VICE PRESIDENT. The time of the Senator from Ohio has expired.

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent that I may proceed for 2 additional minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. YOUNG of Ohio. Mr. President, ours is an open society. The Soviet Union is a closed society. The convention, or treaty, can be a wedge toward opening the Soviet Union to the ideas and thoughts of the West. The winds of change and freedom are blowing throughout the world and every attempt possible should be made to permit them to flow through the Soviet Union.

Travel of Americans to the Soviet Union will increase each year. The ratification of this convention will be of immediate benefit to Americans in terms of added protection that will be given to American tourists in the Soviet Union. In this respect it has a special advantage for our Nation.

The consular convention does not by itself authorize the opening of any consulates in either country, but merely provides a legal framework for their operation when and if they are opened. In the past this Nation and the Soviet Union have exchanged consulates but there has never been a consular convention between the two countries.

Furthermore, this convention would encourage trade between the United States and the Soviet Union. We should proceed without delay to establish normal trade relations with the Soviet Union in nonstrategic materials selling at the outset whatever we produce that they may eat, drink, smoke, or wear and buying from them products which we need and can use and of which we are lacking in this country. This will not only ease international tensions but will bring added prosperity to businessmen and workingmen and women throughout the Nation, and in particular will help bring added prosperity to our family farmers and wheatgrowers.

Furthermore, I propose that such trade be made at world prices for cash on the barrelhead and without any special favors or special discrimination. Why should we Americans stand at the sidelines while Canada, Great Britain, Australia, West Germany, and other of our allies trade on a huge scale with the Soviet Union and Red China? Last year West Germany exported more than $1 billion in goods and capital equipment to Eastern Europe. One-third of France's exports of capital goods according to plans will go to the Soviet Union during the next 5 years.

It is unconscionable that West Germany, France, and Italy attain full employment and enjoy unparalleled prosperity in large part as a result of their trade, while we, their ally and protector, are depriving our businessmen and workers of the opportunity to engage in this trade and are losing markets which in the near future may be of much greater value.

There is no question that the trade between the Soviet Union and the United States will increase in years to come. It is essential that we have consular officials in key Russian commercial centers to help normalize that trade, and aid American farmers, wheat producers, and businessmen seeking it.

Mr. President, most of the opposition to this convention arises from a fear that the Soviet Union will be able to establish additional bases of espionage in this country through newly opened consulates. Secretary of State Rusk assured the Committee on Foreign Relations that if, after ratification of the

convention, we agree to the opening of a Soviet consulate in an American city, its employees will be subject to the same visa screening and entry controls as officers and employees of the Soviet Embassy in Washington. They would also be subject to the same travel restrictions now applied to Soviet officers assigned to Soviet missions in the United States. Furthermore, they would be subject to the expulsion provision of the Consular Convention.

The important fact is that we would be giving the Soviet Union nothing that it does not already have. At the present time it is free to staff its missions in the United States and its Embassy in Washington just as we freely select our own staff members of our Embassy in the Soviet Union. Undoubtedly, some of these so-called diplomats are Russian intelligence agents or to state the matter bluntly "spies." I would be shocked to learn that we did not have a number of intelligence agents among our diplomatic representatives in the Soviet Union. Unfortunately, this is a fact of life in the cold war and we can play the game as well as they. The danger of a few more Russian agents posing as diplomats is infinitesimal compared to the benefits to be gained by the ratification of this convention.

Mr. President, it appears to me that the real reason why some oppose ratification is not because of Russian spying but because they fear any attempt to normalize relations with the Communist bloc nations and in their shortsightedness and belligerence oppose reducing world tensions. If we are ever to attain lasting peace it can only be achieved by experiments in cooperation by the citizens of the free world and those of the Communist bloc. We must begin cooperating in limited areas which are in the best interests of both nations. The ratification of the Consular Convention with the Soviet Union is one such area where we can begin. Mr. President, I spoke out for, and voted in favor of, confirming the limited nuclear test ban treaty. I am on the side of those who hope for and strive for coexistence with nations behind the Iron Curtain, instead of coannihilation.

NONPAYMENT OF UNITED NATIONS DUES

Mr. PEARSON. Mr. President, the decision of President Johnson and the administration to back down from its previously vigorous voiced position of insisting upon adherence to article 19 of the United Nations Charter is, I believe, a disastrous blow not only to U.S. prestige, to the validity of our foreign policy, but also a blow to the usefulness and integrity of the United Nations.

Once again the administration has talked big and acted little.

This action is an admission that either we were bluffing in the first place or that the strongest nation in the world, paying the greatest assessment to the United Nations and adhering to its provisions, can no longer expect the support and friendship of the majority of the nations of the world, even when we seek compliance with charter provisions.

Mr. President, when the Secretary of State, Mr. Rusk, was righteously declaring our policy, I supported the Secretary and the administration. In a speech in observance of United Nations Day at Kansas State University in Manhattan, Kans., on October 24, 1964, I stated:

> If the United Nations is to survive as a vital instrument of peace, financial support is a minimum rather than a maximum requirement. The position of our Government is that the payment of dues and assessments is a moral issue and indeed a matter of principle. This country, representing only 10 percent of the population of the member nations, has undertaken to pay 40 percent of the U.N. financial requirements. The failure of some nations to pay their assessments has been for the simple reason that they lack sufficient funds. But often the failure is the result of a U.N. decision which runs contrary to the political interest of the various nations. These nations consider it politically unwise to financially contribute to the execution of a decision which is against what they determine to be their national interests. The Soviet Union is a good case in point. The operations of the U.N. in the Congo definitely violated Communist policy in that area.

Mr. President, later, in November of last year, I again stated:

> The coming confrontation of the U.N. appears to have mushroomed into a battle of prestige between the two opposing giants in the cold war. Yet if the U.N. is to survive as a vital instrument of peace, the United States cannot afford to compromise its position.

Again, in December of last year, I stated to my constituents that "the Soviet Union must be compelled to pay its back dues—even at the prospect of Soviet withdrawal from the U.N. No other decision is acceptable."

Mr. President, the fact that our Nation now claims that "there can be no double standard between the members of the organization" and that we likewise will in the future reserve the right to deny future payments is, at best, a thinly veiled attempt to save face.

We have seen the U.N. hamstrung by the Soviet veto. We have seen the U.N. bend and strain under pressures of proposed reorganizations. We have seen the U.N., in many cases, inadequate to deal with some of the problems it was created to solve. We have seen the U.N. suffer under severe financial difficulties. But what we have seen in Ambassador Goldberg's first appearance before the U.N.—although I hope the freshness of this event causes overemphasis and exaggerated feelings—is one of the greatest setbacks to this world organization. I cite as authority for this apprehension the words of Secretary Rusk at Columbia University in New York City on January 10 of this year:

> But let me say that the first principle of a healthy organization is that all its members take part in its work and contribute their proper shares to its financial support.

FOURTH ANNIVERSARY OF ALLIANCE FOR PROGRESS—ADDRESS BY PRESIDENT JOHNSON

Mr. MORSE. Mr. President, this morning at the White House the President of the United States made a truly historic speech commemorating the fourth anniversary of the Alliance for Progress program. It was a very great speech, portraying American foreign policy at its best. The President was at his best.

The President presented for the world an image of the United States which reflected our historic ideals in support of international justice and our Nation's dedication to the support of programs that seek to end man's inhumanity to man. In my opinion, the President's eloquent and inspiring repledging of our Nation's unwavering support of the Alliance for Progress program, as envisioned 4 years ago by President John Fitzgerald Kennedy, is the answer to the threat of communism in Latin America.

In this speech, the President outlined again for the consideration of our Latin American neighbors and allies a program of reform and economic interaction that constitutes the most effective weapon against the spread of communism.

The heart of the program is the development of economic freedom for the people of Latin America who, by the millions at the present time, as the President pointed out, are impoverished and, in effect, economically enslaved.

As President Kennedy recognized and as President Johnson restated this morning, justice for the Latin American people requires economic freedom for the people who comprise the society of these Latin American countries.

As chairman of the Subcommittee on Latin American Affairs, I am thrilled by the foreign policy philosophy enunciated anew in President Johnson's speech. It is a philosophy that recognizes our obligation in the United States to export economic freedom to Latin America so that the people of Latin America will be able to plant in the resulting seedbeds of economic freedom the seeds of political freedom. As a result, Communists will soon learn that their program of economic and political enslavement for people cannot survive in a country that provides its people with economic freedom of choice.

As I have said so many times, give me a society of people with family farm ownership in the country, private home ownership in the city, and employment at wages that will support the family of the wage earner in health and decency, and I will give you a society in which communism cannot take root and grow because the people will be free and out of the soil of economic freedom, political freedom takes root and flourishes.

I cannot too highly commend the President for this great speech. I am honored to have the Vice President of the United States presiding over the Senate at this moment, because I would have the RECORD show that when the Vice President was a Senator from Minnesota and a member of the Committee on Foreign Relations I received from him at all times unstinting and unfailing support for the great Alliance for Progress program that the Foreign Relations Committee unanimously supported.

Therefore, it is a particular pleasure for me to ask unanimous consent, while the Vice President is in the Chair, to

have printed in the RECORD at this point in my remarks the great speech of the President this morning in the White House.

As a matter of historic interest, I was honored to have the President give me his reading copy as a memento, and I ask the Official Reporters to make certain that it is returned to me.

The VICE PRESIDENT. The request of the Senator from Oregon will be fulfilled. The Chair appreciates the remarks of the Senator.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY PRESIDENT JOHNSON

My fellow citizens of the Americas, 4 years ago this hemisphere embarked upon a great adventure—the greatest, perhaps, since an unknown Italian mariner first touched these shores almost five centuries ago.

It was nothing less than to transform the life of an entire continent.

It was to reach into the homes and villages of more than 200 million people—touching each with hope and expectation.

It was to replace privilege with social justice and unchanging poverty with economic progress. Where there was disease we would bring health. Where there was ignorance we would bring learning. We would feed the hungry and shelter the homeless. And we would do all this as freemen, making liberty the companion of progress.

The adventure began in a dozen scattered spots. In Colombia, the act of Bogatá was signed. In Caracas, Romulo Betancourt moved a nation from dictatorship to a living and hopeful democracy. In Costa Rica, and Mexico, and in many other places, new standards were being shaped; old dreams were taking on fresh meaning. Across the hemisphere revolution was in the air, promising these three: freedom, justice, progress.

And then all these growing, resistless forces converged on this room, where a new President of the United States addressed himself to his fellow citizens of the hemisphere. With unmatched spaciousness of vision John F. Kennedy called for "a vast cooperative effort, unparalleled in magnitude and nobility of purpose, to satisfy the basic needs of the American people * * *."

And 5 months later—4 years ago today—on the coast of Uruguay, 20 American Republics solemnly resolved "to establish and carry forward an Alianza para el Progreso."

That act was a turning point, not only in the history of the new world, but in the long history of freedom.

The goals were towering, almost beyond achievement. The hopes were soaring, almost beyond fulfillment. The tasks were immense, almost beyond capacity. But entire nations are not stirred to action by timid words and narrow visions. The faith and will of millions do not take fire from brands muffled in reluctance and fear. And if the reality of progress was to be slow, the radiance of ultimate achievement must be bright enough to compel the effort and sacrifice of generations.

If our Alianza was suffused with compassion and idealism, it also responded to the most real and urgent necessities of our time. Our continent is in ferment. People long oppressed demand their share of the blessings and dignity which the modern world can offer man. The peaceful democratic social revolution of the Alianza is not the alternative to tranquillity and changelessness. It is the alternative—and the only alternative—to bloodshed, destruction, and tyranny. For the past is gone. And those who struggle to preserve it enlist unawares in the ranks of their own destroyers.

We will shape the future through the principles of our Alianza, or find it swallowed up in violence bred of desperation.

And how fortunate we are to live in such a time, when justice so mingles with necessity, and faith with opportunity.

Almost from the moment of birth, the Alliance for Progress was beset by doubt. But men of rooted faith in every country held firm to purpose. And if we have not reached the farthest limit of expectation, we have done much; more, indeed, than many believed.

This 4 years has been the greatest period of forward movement, progress, and fruitful change in the history of the hemisphere. And the pace is increasing.

Last year Latin America as a whole exceeded the Alliance for Progress target of 2½ percent per capita growth rate. Our exports tell us we will do the same this year. And in the Central American Common Market growth is almost 7 percent.

A large and swelling flood of resources contributes to this progress. In 4 years, the United States has contributed almost $4½ billion in grants, loans, goods, and expert assistance. The nations of Latin America have channeled $22 to $24 billion into development. And more than $1 billion has come from other countries and international agencies.

At the heart of Alliance are the twin urgencies of planning and reform. Ten nations have already submitted development programs, and others are on the way. Fourteen countries now have major tax reforms underway—and the rate of tax collection is steadily rising. Fourteen nations have now instituted land reform programs. Others are confronting the growing importance of population control. One government after another is determined to reconcile reform and economic growth with the struggle against destructive inflation. And I salute those, like the people of Brazil, who help lead the way.

In my own country we have constantly worked to improve the speed and usefulness of our own participation in the Alliance. And we have made progress.

In the past year and a half we have loaned over $847 million—almost $150 million more than the 2 full preceding years. The number of loans is increasing. The amount of investment guarantee is on the rise. Housing guarantees have gone up 20 times in only 2 years.

Thus in both United States and Latin America we are moving more and more swiftly to meet the obligations and reach the goals of the Alliance for Progress.

And behind the statistics lie the countless stories of human needs met, human suffering relieved, human hopes fulfilled.

Twenty-five million people—13 million of them children—are receiving food from Alliance programs.

More than 1½ million people have new homes.

A million children now have new classrooms, and 10 million textbooks have been produced.

Hundreds of thousands now can find relief from suffering in more than 850 hospitals, health centers, and health units now in service.

More than 100 million people are now protected from malaria.

And across the face of the hemisphere new roads are being built. Electric power lines are going up. And institutions for savings and credit and development are opening their doors.

These are important gains. But, perhaps more importantly, the banners of reform, of social justice, and of economic progress have been seized by governments and leaders and parties all over the hemisphere. Elections are fought and won on the principles of the Alliance. Where once the light of hope flickered in few places, it now burns in many nations. And in the oppressed countryside and desperate slums growing numbers of people know that in distant capitals—under different slogans and with varying success—their leaders are working to brighten their days and insure their dignity.

For the fact is, even though forces of injustice, privilege and tyranny hold many fortresses, they are on the defensive now. And we can say, far more surely than we once could: Their final day is coming.

But whatever we have accomplished we know the road ahead is longer and more steep than the way behind. If many have been helped, many more are still untouched. If some are newly free, millions are still shackled by poverty and disease, ignorance and malnutrition. If we have made more progress than before, we have made far less than we must.

To this end, we must all increase the efforts we are now making; to build modern industry and the structures on which it rests; to attract a growing flow private investment and technology to Latin America; to speed up the process of social reform.

But it is not enough to continue what we are doing. From the experience, achievement and failures of the first 4 years we can now shape new directions.

Recently I received—as did the other American Presidents—a letter from CIAP suggesting changes and new departures. The leadership of this organization is itself one of our healthiest developments. And I pledge my Government to review this letter with care and sympathy.

But from this letter—and from our own experience—we can already see the shape of future emphasis.

First, we must step up our efforts to prevent disastrous changes in the prices of those basic commodities which are the lifeblood of so many economies. We will continue—we did this week in London—to strengthen the operation of the coffee agreement and search for ways to stabilize the price of cocoa.

We will also try to maintain a regularly expanding market for Latin American sugar. And consistent with the CIAP recommendations—I will propose today that Congress eliminate the special import fee on sugar, so the full price will go to the Latin American producers.

Second, we must try to draw the economies of Latin America closer together. The experience of Central America reaffirms that of Europe. Widened markets—the breakdown of tariff barriers—leads to increased trade, more efficient production, and greater prosperity.

The United States will, as CIAP suggests, contribute from its Alliance resources to the creation of a new fund for preparing multinational projects. By building areawide road systems, developing river basins which cross boundaries, and improving communications we can help dissolve barriers which have divided the nations.

In addition I hope the American nations will consider the establishment of a program—patterned after the European Coal and Steel Community—for the production and trades on a continental basis, of fertilizer, pesticides, and other products needed to increase agricultural production. My country is willing to help in such a venture.

Thus, in ways he never imagined, we can move closer to the dream of Bolivar.

Third, we must emphasize the needs of rural Latin America. Here is the scene of the most abject poverty and despair. Here half the people of Latin America live. And it is here, in the countryside, that the foundation of a modern economy will be built. Through diversification of crops we can decrease dependence on a few export products. Through increasing production, the countries of Latin America can feed their own people.

Through increasing farm income, we can provide growing markets for industry.

Fourth, we must, as CIAP also suggests, direct more of our effort toward those things which directly touch the lives of individual human beings—homes and education, health and food. It is not enough simply to say that a growing economy will ultimately meet those needs. Misery and pain and despair exist in the present; and we must fight them in the present as best we can. This is not only the command of compassion. It is the counsel of wisdom. For factories and banks and dollars do not build a nation. People build a nation. On those people—their health and knowledge and faith; their participation and their sacrifice—rests the future of all of us and all our nations.

This is the common thread which runs through the Great Society in my country and the Alliance for Progress in all our countries.

These are a few—and only a few—of the many tasks which lie before us as we labor to complete the second revolution of the Americas.

The task of development is a practical process. It demands skilled leadership, careful judgment, and imagination firmly tempered by possibility. But it demands something more. For our progress is not its own end. It is an instrument to enlarge the dignity of man. And so we must build on faith and on belief and on those values which are the resistant and enduring mark of our civilization.

This means that each man should have the chance to share in the affairs of his nation—to participate in that liberating process of self-rule we know as democracy. It is fundamental to our Alliance that all our nations should be free, and all our people part of that freedom. We have not yet achieved that for all our countries, indeed for all the people of my own country. But that is our goal for this entire continent. And, however we build, the Alianza will not be success until that is accomplished.

It is to protect that right of self-determination that the OAS now works in the Dominican Republic. I know all of you share the wish that the future government, chosen by the Dominican people, will be devoted to the principles of liberal democracy and social justice; and that you share as well the intention of my country to help rebuild that memory and strife-scarred land.

This also means that each man's nation—great or small—must walk as an equal with all others—free to shape its society, select its institutions and find its own way to the future so long as it respects the rights of its fellows. And from that enriching diversity of custom and tradition—practice and the conduct of affairs—we will all draw strength and, perhaps even wisdom.

This also means that each man must have a chance to share in present benefit and future progress. God did not create any man to live in unseen chains, laboring through a life of pain to heap the table of a favored few. No farmer should be enslaved to land he cannot own. No worker should be stripped of reward for toil. No family should be compelled to sacrifice while others escape the obligations of their society. "Indeed," said Thomas Jefferson, "I tremble for my country when I reflect that God is just." We must surely tremble for our continent as long as any live and flourish protected by the walls of injustice.

If we follow these commands in all our lands then progress will fulfill our dreams. But if we sacrifice them to weakness, or interest, or to false promise, then the hand that builds will become the hand of desolation.

I am, as best I can, trying to follow them in my own country. This year new laws will help the old to find health, families to supplement the cost of homes, Negroes to share in democracy, the poor to find an exit from poverty, and children to seek learning. For my Nation, like yours, is still struggling to find justice for all its people. And because we are fortunate in abundance we must try to help others who seek it for their own people.

And there is also something more. The process of development is still an unknown process. Although we mask our uncertainty with charts and tables, calculations and intricate theories, we are still uncertain. But one thing we do know. Development is not just a matter of resources or trade, production or crops. Rather, in some mysterious way, a people—because they have great leaders and because they have great hopes and because they themselves are great—an entire people begin to stir, and sacrifice and work. And a nation begins to move.

And today throughout this continent this is beginning to happen.

It is that—not the numbers or reports—which tell us these have been fruitful years—and that with luck, and with skill, and with intransigent resolve we will clear away the thousand barriers that lie ahead—if enough hands grasp them, and all are allowed to make the journey.

To all that was pledged that momentous August day—and everything promised since—I here, on this anniversary, again pledge my administration and my personal life in office.

As for the future, leave that to this new world. It will be ours, as it was promised so many years ago.

LOS ANGELES RIOT

Mr. JAVITS. Mr. President, I wish to say a word about the riot in Los Angeles. The Governor of California has announced that the riots are over and that there is, as we know, an uneasy peace being enforced by 15,000 National Guardsmen and more than 1,000 police officers. Six days of rioting and looting have taken a terrible toll—33 persons dead, 812 injured, 2,870 arrested, and an estimated $175 million in property damage.

The extent of the damage caused by these Los Angeles riots will never really be known. I speak today because perhaps the greatest injury suffered in the riots was the serious blow to the remarkable record of the civil rights movement—a record of order and nonviolence in the face of substantial, unbearable provocation—which has brought so much dignity, so much patriotism, and so much support to the movement.

Another reason that I speak today is that we had a little flurry in Philadelphia last night. We have already had one in Springfield, Mass. We had such reactions last year in Newark, N.J.; Rochester, N.Y.; and New York City.

The entire face of society—and especially of those of us who have been so ardent in this movement—must be turned against any such trend.

Bloodshed and anarchy, arson and murder—whatever their deep-seated social or psychological causes—cannot be tolerated in a society founded upon the rule of law.

As one who has spent his entire public career working in the cause of equal opportunity and civil rights, I shall be among the first to sit down calmly and assess the causes and the added cures for this madness now that the storm is over. However, I cannot condone bargains or bribery as a means of assuring order. Nor can I subscribe to the allegedly simple answers which we are beginning to hear—"Let the courts and the police get tough." "Let the civil rights leaders control their people." "Let there be a halt to civil rights demonstrations." Such proposals refer even to those constitutionally guaranteed nonviolent demonstrations which have touched the conscience of the Nation.

We should not permit these arsonists, murderers, and snipers to destroy the benefits derived from these demonstrations.

The great movement for equal opportunity must continue, notwithstanding the actions of the hoodlums of Los Angeles. It is the manifest destiny of this Nation to expand freedom for all. However, it would be foolish for us to ignore the riots.

Though progress has been all too painfully slow in education, housing, jobs, and even in voting, we have accomplished more in the past decade than in the preceding century.

Now, in the very week when tens of thousands of disenfranchised Negroes are streaming to registration offices in the South, within weeks of the establishment of a Federal Fair Employment Commission, and within a month of the opening of a substantial number of newly desegregated schools in the South, this new, worse than ever, violence erupts.

The ones who are hurt the most by the action of these hoodlums are not those in the white power structure, of Los Angeles, nor the bigots and the racist. The American people are the ones who suffer. It is not only the Negro home owner in Watts, the shopkeepers, or the parents of children who have been shot by snipers, who suffer, but also—without any relationship to actual participation—those Americans across the country who are working loyally and devotedly for freedom now.

We cannot let this happen. We have worked for the cause too long to allow the progress won at such cost, by so many, to be jeopardized and damaged.

Mr. President, the violence which has occurred in Los Angeles is a disease. It must be treated as a disease which can destroy the life and the vitality of the civil rights cause and which, therefore, must be cured, operated upon, and suppressed before it spreads.

Mr. President, we must also look at the causes of the riots. We must examine the question of whether the repeal of California's fair housing law contributed to the mounting discontent. We must explore the reasons for the absence of a genuine anti-poverty program in Los Angeles. We must decide what kind of program at the Federal level can be initiated immediately to alleviate the pressures. I intend to cooperate fully in this task on the Federal level.

Today I call upon the victims of these riots—all those who are a part of the American civil rights movement—to speak out strongly and to close the ranks quickly against this disaster so that, with peace restored, we can return to the great, arduous task of building a society

with equal rights and equal opportunity for all.

Mr. President, with others in this body and in the United States, I turn my face against violence, and join in supporting its suppression. At one and the same time, we do not condone bargaining or appeasing. We must look to the things that we can do to avoid a repetition of such an occurrence.

It is extremely important that we not be disheartened by what has occurred, but that, on the contrary, we should close ranks and continue our progress. It is important for the Federal Establishment to realize its responsibility not only to assist, but also to urge the authorities in California to take the required actions to reduce the mounting discontent which has produced this terrible disaster in the United States, a disaster which is harmful not only to the people of the United States, but also to our image in the eyes of the other nations of the world.

DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE, AND RELATED AGENCIES APPROPRIATION BILL, 1966—CONFERENCE REPORT

Mr. HILL. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7765) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1966, and for other purposes. I ask unanimous consent for the present consideration of the report.

The VICE PRESIDENT. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of August 16, 1965, pp. 20461–20463, CONGRESSIONAL RECORD.)

The VICE PRESIDENT. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. HILL. Mr. President, the bill as approved by the committee of conference provides total appropriations of $8,011,331,500, a decrease of $11,770,000 from the Senate allowance, an increase of $47,297,000 over the House allowance, but a decrease of $282,482,500 from the budget estimates for 1966. The total amount approved exceeds the appropriations for 1965 by $308,936,500.

For the Department of Labor, the total appropriation is $547,607,500 or $10 million less than approved by the Senate, and $40,536,500 less than the budget estimates for 1966.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. SALTONSTALL. Mr. President, what did the conference committee do with relation to the administrative costs on research grants to private institutions?

Mr. HILL. The Senator and I had a meeting with the Subcommittee on Defense yesterday afternoon. This subject came up. The House provision provided:

> None of the funds provided herein shall be used to pay any recipient of a grant for the conduct of a research project an amount equal to as much as the entire cost of such project.

That was the language to which we agreed.

Mr. SALTONSTALL. In other words, if I remember correctly, the Senate struck out the House provision, and the matter went to conference.

Mr. HILL. We did; we deleted it and took it to conference.

Mr. SALTONSTALL. And the conference committee agreed to retain the House language.

Mr. HILL. Yes.

Mr. SALTONSTALL. The same situation applies with respect to the independent offices bill.

Mr. HILL. That is correct. The situation was the same with respect to the independent offices bill as it is on the pending conference report, with respect to the Department of Health, Education, and Welfare.

Mr. SALTONSTALL. Otherwise, there were not many fundamental differences.

Mr. HILL. The Senator is correct.

Mr. SALTONSTALL. I thank the Senator.

Mr. HILL. I thank the Senator from Massachusetts.

Mr. President, as the bill passed the Senate it contained an allowance of $20 million for "Advances for employment services" out of the general fund of the Treasury to be merged with the account "Grants to States for unemployment compensation and employment service administration" and to be repaid as may be hereafter provided by law. Since the preparation of the budget, the estimate of insured unemployment has been reduced. The resulting savings in administrative expenses under the "Grants to States" appropriation is approximately $10 million. The conferees agreed that this additional sum be used for the same purpose specified by the Senate in connection with amendment No. 1, and reduced the amount provided in the Senate amendment to $10 million.

For the Department of Health, Education, and Welfare the total appropriation approved by the conferees is $7,410,170,000, a decrease of $1,770,000 from the amount approved by the Senate, and a reduction of $241,904,000 from the budget estimates, and an increase of $37,150,000 over the House allowance.

The Senate approved $604,000 for the planning of a second laboratory facility for the Food and Drug Administration at Beltsville, Md. The conferees rejected the Senate amendment. Progress on construction of the first laboratory for which planning funds were provided for fiscal year 1964, and for which construction funds were made available for fiscal year 1965, has been disappointing. The Congress was informed last year when it provided funds for construction that the building would be ready for occupancy in fiscal year 1966. A report received after the Senate had added the planning funds for the second laboratory indicates that the planning for the first laboratory will not be completed until late in fiscal year 1966, and construction in 1968.

The conferees approved the Senate amendments for the Office of Education, disallowing the $10 million for the construction of two residential vocational education schools with the Federal Government paying all construction, equipment, and operating costs, and disallowing $9,050,000 for construction loans for academic facilities under title III of the Higher Education Facilities Act of 1963.

The Senate amendment providing $50,000 under "Research and training, Vocational Rehabilitation Administration" to allow program planning grants of $25,000 each to the Georgia Rehabilitation Center at Warm Springs, Ga., and the Woodrow Wilson Rehabilitation Center at Fisherville, Va., was not approved by the conferees.

The conferees accepted the Senate amendment to the item "Building and facilities," Public Health Service, effecting a net reduction of $454,000. The Senate added $20,000 for development of a master plan for an Appalachian environmental health field station, for which there was an estimate, $250,000 for planning an extension at the Dental Health Center in San Francisco, $75,000 for planning funds for an addition to the Narragansett Shellfish Laboratory, and $1,550,000 for additions to the Clinical Center at the National Institutes of Health. The amendment also disallowed the $2,350,000 sought for construction of a Middle Atlantic Water Pollution Control Laboratory for which no site has been selected. The conferees also agreed to the Senate direction in its report that unobligated funds appropriated for fiscal year 1962 for planning the water pollution control laboratories be utilized for planning additional laboratories at Columbia, Mo., and in the Vicksburg-Jackson area of Mississippi, and added a third laboratory to be located in the area of the Wisconsin State University at Stevens Point, Wis.

The Senate had deleted the $301,000 increase voted by the House for "Injury control," Public Health Service. The conferees voted to restore $151,000 of the Senate cut.

For "Hospital construction activities" the Senate voted the full budget estimate of $303,304,000, an increase of $44,215,000 over the House allowance, and deleted the provision of $1.5 million for a multiservice facility for the mentally and physically handicapped, to be located in Peoria, Ill., in the absence of an authorization for the facility in this program, and added a proviso limiting the Federal share of experimental construction or equipment projects under section 624 to two-thirds of the total cost.

The conferees approved the Senate allowance of the full budget estimate and the proviso limiting the Federal share of projects under section 624, but added back the provision for the multiservice facility for the mentally and physically handicapped but limited the Federal share to two-thirds of the total costs in lieu of the 75 percent provided by the House.

The conferees accepted one-half of the Senate increase of $266,000 for "Occupational health" to provide for acceleration of the clinical research already underway in West Virginia in the second phase of the study of pneumoconiosis and other respiratory diseases in coal miners.

The conferees likewise accepted one-half of the increase of $1 million added by the Senate for equipment replacement in the general hospitals of the Public Health Service, making available $1,364,000 over the budget request for the purpose which will leave an estimated backlog of some $700,000 at the end of fiscal year 1966. The Senate will expect the Department to request sufficient funds for fiscal year 1967 to complete the equipment replacement program for the entire hospital complex.

The conferees rejected the Senate amendment, section 205, which would have denied the use of any funds in title II for the closing, or planning for closing, or for any activity in connection with the closing of any Public Health Service hospital.

For the National Institutes of Health the Senate added $30.3 million. The conferees reduced the Senate increase by $9.1 million, allowing an increase of $21.2 million over the House allowance.

Reductions from the Senate increases were made as follows: $2.2 million of the $2.5 million added for the National Institute of General Medical Sciences; $400,000 of the $800,000 added by the Senate for "Biologics standards"; $3.5 million of the $7 million added by the Senate for the National Institute of Mental Health; the $2 million added by the Senate for the National Heart Institute; and $1 million of the $4.5 million added by the Senate for the National Institute of Neurological Diseases and Blindness. The reductions for the most part reflected the additional funds sought in a supplemental estimate pending before the House Committee on Appropriations for the heart, cancer, and stroke program. The conferees also agreed to allow $1 million for the program against rubella or German measles for which the Senate added $500,000, reducing the Senate allowance of $750,000 additional for the program on organ transplantation to $250,000.

The conferees rejected the Senate increase of $60,000, within the budget estimate, for the Office of the Commissioner, Welfare Administration, for additional personnel to operate from Washington in a field liaison capacity.

The conferees rejected the Senate amendment deleting the House-added section 203 on indirect costs of research and accepted the section as written by the House.

I move the adoption of the conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

The VICE PRESIDENT laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 7765, which was read, as follows:

Resolved, That the House recede from its disagreement to the amendments of the Senate numbered 23, 41, 47, 49, and 50 to the bill (H.R. 7765) entitled "An Act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1966, and for other purposes", and concur therein.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 1, and concur therein with an amendment, as follows:

In lieu of the sum named in said amendment, insert "$10,000,000".

Mr. HILL. Mr. President, I move that the Senate concur in the amendment of the House to the amendment of the Senate numbered 1.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Alabama.

The motion was agreed to.

Mr. HILL. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a tabulation setting forth the appropriation for fiscal year 1965, the budget estimates for 1966, the House allowance, the Senate allowance, and the conference agreement for the Departments of Labor, and Health, Education, and Welfare, and related agencies.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

Departments of Labor, and Health, Education, and Welfare, and Related Agencies Appropriation Act, 1966, H.R. 7765

Item	Appropriation, fiscal year 1965	Budget estimates, 1966	House allowance	Senate allowance	Conference agreement
TITLE I—DEPARTMENT OF LABOR					
MANPOWER ADMINISTRATION					
Office of Manpower Administrator, salaries and expenses		$16,780,000	$7,794,000	$7,794,000	$7,794,000
Transfer from unemployment trust fund	(-----)	(15,328,000)	(-----)		
Manpower development and training activities	$396,906,000	273,500,000	273,500,000	273,500,000	273,500,000
Area redevelopment activities	8,500,000				
Trade adjustment activities	344,000				
Farm labor contractor registration activities	350,000				
Bureau of Apprenticeship and Training, salaries and expenses	5,722,000		6,665,000	6,665,000	6,665,000
Bureau of Employment Security, salaries and expenses			2,160,000	2,160,000	2,160,000
Transfer from unemployment trust fund	(13,952,500)		(15,434,000)	(15,434,000)	(15,434,000)
Advances for employment services		39,280,000		20,000,000	10,000,000
Limitation on grants to States for unemployment compensation and employment service administration	(455,636,000)	(492,100,000)	(492,100,000)	(492,100,000)	(492,100,000)
Unemployment compensation for Federal employees and ex-servicemen	137,000,000	141,000,000	131,000,000	131,000,000	131,000,000
Compliance activities, Mexican farm labor program	800,000				
Salaries and expenses, Mexican farm labor program	(800,000)				
Total, Manpower Administration	549,622,000	470,560,000	421,119,000	441,119,000	431,119,000
LABOR-MANAGEMENT RELATIONS					
Labor-Management Services Administration	7,743,300	8,580,000	8,580,000	8,580,000	8,580,000
Bureau of Veterans' Reemployment Rights	820,700				
Total, labor-management relations	8,564,000	8,580,000	8,580,000	8,580,000	8,580,000
WAGE AND LABOR STANDARDS					
Bureau of Labor Standards	3,674,600	3,172,000	3,220,000	3,242,500	3,242,500
Women's Bureau	799,200	860,000	860,000	860,000	860,000
Wage and Hour Division	20,952,000	20,405,000	20,905,000	20,905,000	20,905,000
Bureau of Employees' Compensation, salaries and expenses	4,534,200	4,311,000	4,495,000	4,495,000	4,495,000
Transfers from trust funds	(62,100)	(63,000)	(63,000)	(63,000)	(63,000)
Employees' compensation claims and expenses	52,650,000	49,606,000	48,530,000	48,530,000	48,530,000
Total, wage and labor standards	82,610,000	78,354,000	78,010,000	78,032,500	78,032,500
BUREAU OF LABOR STATISTICS					
Salaries and expenses	18,542,000	20,601,000	19,601,000	19,726,000	19,726,000
BUREAU OF INTERNATIONAL LABOR AFFAIRS					
Salaries and expenses	881,500	1,204,000	1,204,000	1,204,000	1,204,000

Departments of Labor, and Health, Education, and Welfare, and Related Agencies Appropriation Act, 1966, H.R. 7765—Continued

Item	Appropriation, fiscal year 1965	Budget estimates, 1966	House allowance	Senate allowance	Conference agreement
TITLE II—DEPARTMENT OF HEW—Continued					
OFFICE OF THE SOLICITOR					
Salaries and expenses	$5,047,000	$5,300,000	$5,401,000	$5,401,000	$5,401,000
Transfer from unemployment trust fund	(136,000)	(136,000)	(136,000)	(136,000)	(136,000)
OFFICE OF THE SECRETARY					
Salaries and expenses	3,050,000	3,545,000	3,545,000	3,545,000	3,545,000
Transfer from unemployment trust fund	(140,000)	(140,000)	(140,000)	(140,000)	(140,000)
Total appropriations, Department of Labor	668,316,500	588,144,000	537,460,000	557,607,500	547,607,500
TITLE II—DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE					
FOOD AND DRUG ADMINISTRATION					
Salaries and expenses	40,370,000	50,352,000	50,352,000	50,352,000	50,352,000
Buildings and facilities	10,875,000	6,324,000	5,720,000	6,324,000	5,720,000
Total, Food and Drug Administration	5,1245,000	56,676,000	56,072,000	56,676,000	56,072,000
OFFICE OF EDUCATION					
Expansion and improvement of vocational education	158,296,000	257,491,000	262,491,000	252,491,000	252,491,000
Higher education facilities construction	463,150,000	641,750,000	641,750,000	632,700,000	632,700,000
Further endowment of colleges of agriculture and the mechanic arts	11,950,000	11,950,000	11,950,000	11,950,000	11,950,000
Grants for public libraries	55,000,000	55,000,000	55,000,000	55,000,000	55,000,000
Payments to school districts	332,000,000	347,000,000	347,000,000	347,000,000	347,000,000
Assistance for school construction	58,400,000	50,190,000	50,078,000	50,078,000	50,078,000
Defense educational activities	348,603,000	412,608,000	412,608,000	412,608,000	412,608,000
Educational improvement for the handicapped	16,500,000	21,500,000	21,500,000	21,500,000	21,500,000
Cooperative research	15,840,000	25,000,000	25,000,000	25,000,000	25,000,000
Educational research (special foreign currency program)	500,000	1,000,000	1,000,000	1,000,000	1,000,000
Foreign language training and area studies	1,500,000	2,000,000	2,000,000	2,000,000	2,000,000
Salaries and expenses	20,127,500	23,072,000	22,562,000	22,562,000	22,562,000
Total, Office of Education	1,481,866,500	1,848,561,000	1,852,939,000	1,833,889,000	1,833,889,000
VOCATIONAL REHABILITATION ADMINISTRATION					
Grants to States	100,100,000	124,000,000	124,000,000	124,000,000	124,000,000
Research and training	41,065,000	45,845,000	46,045,000	46,095,000	46,045,000
Research and training (special foreign currency program)	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000
Salaries and expenses	3,232,000	3,415,000	3,415,000	3,415,000	3,415,000
Total, Vocational Rehabilitation Administration	146,397,000	175,260,000	175,460,000	175,510,000	175,460,000
PUBLIC HEALTH SERVICE					
Buildings and facilities	22,512,000	7,781,000	9,431,000	8,977,000	8,977,000
Injury control	3,886,000	4,199,000	4,500,000	4,199,000	4,350,000
Chronic diseases and health of the aged	53,908,000	61,203,000	66,453,000	67,453,000	67,453,000
Communicable disease activities	29,974,000	39,347,000	31,347,000	31,497,000	31,497,000
Community health practice and research	28,230,000	63,482,000	60,482,000	55,482,000	55,482,000
Control of tuberculosis	10,932,000	15,666,000	15,666,000	15,666,000	15,666,000
Control of venereal diseases	10,105,000	10,392,000	10,392,000	10,392,000	10,392,000
Dental services and resources	7,228,000	7,903,000	7,903,000	8,383,000	8,383,000
Nursing services and resources	21,660,000	21,075,000	21,075,000	18,075,000	19,575,000
Hospital construction activities	245,907,000	303,304,000	259,089,000	303,304,000	303,304,000
Construction of health educational facilities	110,782,000	90,599,000	90,599,000	90,599,000	90,599,000
Environmental health sciences	9,380,000	15,933,000	15,933,000	15,983,000	15,983,000
Air pollution	20,995,000	24,403,000	26,037,000	26,037,000	26,037,000
Environmental engineering and sanitation	9,170,000	9,293,000	9,842,000	9,842,000	9,842,000
Occupational health	5,194,000	5,584,000	5,724,000	5,990,000	5,857,000
Radiological health	19,720,000	20,818,000	21,044,000	21,044,000	21,044,000
Water supply and water pollution control	35,126,000	40,601,000	44,514,000	44,514,000	44,514,000
Grants for waste treatment works construction	90,000,000	100,000,000	100,000,000	91,000,000	91,000,000
Hospitals and medical care	55,064,000	56,846,000	57,710,000	58,710,000	58,210,000
Foreign quarantine activities	7,009,000	7,311,000	7,311,000	7,311,000	7,311,000
National Institutes of Health:					
General research and services	164,190,000	58,719,000	59,969,000	60,469,000	60,469,000
National Institute of General Medical Sciences		122,338,000	122,338,000	124,838,000	122,638,000
Biologics standards	4,969,000	6,406,000	6,406,000	7,206,000	6,806,000
National Institute of Child Health and Human Development	42,696,000	53,524,000	53,524,000	55,024,000	55,024,000
National Cancer Institute	138,970,000	149,968,000	153,618,000	158,618,000	158,618,000
Special cancer research	10,000,000				
National Institute of Mental Health	188,273,000	208,969,000	208,969,000	215,969,000	212,469,000
Construction of community mental health centers	35,000,000	50,000,000	50,000,000	50,000,000	50,000,000
National Heart Institute	125,171,000	131,612,000	136,412,000	138,412,000	136,412,000
National Institute of Dental Research	20,190,000	22,177,000	22,177,000	23,677,000	23,677,000
National Institute of Arthritis and Metabolic Diseases	113,344,000	119,203,000	121,203,000	123,203,000	123,203,000
National Institute of Allergy and Infectious Diseases	70,100,000	74,987,000	74,987,000	77,987,000	77,987,000
National Institute of Neurological Diseases and Blindness	88,089,000	92,153,000	92,153,000	96,653,000	95,653,000
Grants for construction of health research facilities	58,000,000	56,000,000	56,000,000	56,000,000	56,000,000
Subtotal, National Institutes of Health	1,058,992,000	1,146,056,000	1,157,756,000	1,188,056,000	1,178,956,000
Scientific activities overseas (special foreign currency program)	1,000,000	6,000,000	6,000,000	5,000,000	5,000,000
National health statistics	6,304,000	7,310,000	7,230,000	7,230,000	7,230,000
National Library of Medicine	3,958,000	5,010,000	5,010,000	5,510,000	5,510,000
Retired pay of commissioned officers (indefinite)	(7,155,000)	(7,850,000)	(7,850,000)	(7,850,000)	(7,850,000)
Office of the Surgeon General, salaries and expenses	6,214,000	6,648,000	6,648,000	6,648,000	6,648,000
Total, Public Health Service	1,873,250,000	2,076,764,000	2,047,696,000	2,106,902,000	2,098,820,000
ST. ELIZABETHS HOSPITAL					
Salaries and expenses (indefinite)	(9,537,000)	(9,390,000)	(9,532,000)	(9,532,000)	(9,532,000)
Buildings and facilities	2,032,000	1,977,000	1,977,000	1,977,000	1,977,000
Total, St. Elizabeths Hospital	2,032,000	1,977,000	1,977,000	1,977,000	1,977,000
SOCIAL SECURITY ADMINISTRATION					
Limitation on salaries and expenses	(331,626,000)	(358,092,000)	(355,092,000)	(355,092,000)	(355,092,000)
Limitation on construction	(5,750,000)	(11,860,000)	(11,860,000)	(11,860,000)	(11,860,000)

Departments of Labor, and Health, Education, and Welfare, and Related Agencies Appropriation Act, 1966, H.R. 7765—Continued

Item	Appropriation, fiscal year 1965	Budget estimates, 1966	House allowance	Senate allowance	Conference agreement
TITLE II—DEPARTMENT OF HEW—Continued					
WELFARE ADMINISTRATION					
Grants to States for public assistance	$3,187,900,000	$3,242,100,000	$3,000,000,000	$3,000,000,000	$3,000,000,000
Assistance for repatriated U.S. nationals	373,000	332,000	332,000	332,000	332,000
Bureau of Family Services, salaries and expenses	5,514,000	6,256,000	6,081,000	6,081,000	6,081,000
Grants for maternal and child welfare	127,830,000	162,000,000	162,000,000	162,000,000	162,000,000
Children's Bureau, salaries and expenses	4,398,000	4,494,000	4,494,000	4,494,000	4,494,000
Juvenile delinquency and youth offenses	11,500,000	10,000,000	1,750,000	8,250,000	6,750,000
Office of Aging, salaries and expenses	587,000	703,000	500,000	500,000	500,000
Cooperative research or demonstration projects	1,700,000	2,000,000	1,882,000	1,882,000	1,882,000
Research and training (special foreign currency program)		1,200,000	1,200,000	1,200,000	1,200,000
Office of the Commissioner, salaries and expenses	1,104,000	1,291,000	1,175,000	1,235,000	1,175,000
Total, Welfare Administration	3,340,960,000	3,430,376,000	3,179,414,000	3,185,974,000	3,184,414,000
SPECIAL INSTITUTIONS					
American Printing House for the Blind	865,000	909,000	1,000,000	1,000,000	1,000,000
Freedmen's Hospital	4,038,000	4,624,000	4,624,000	4,624,000	4,624,000
Gallaudet College, salaries and expenses	1,926,000	2,277,000	2,277,000	2,277,000	2,277,000
Gallaudet College, construction	367,000	308,000	308,000	384,000	384,000
Howard University, salaries and expenses	9,843,000	10,982,000	10,982,000	10,982,000	10,982,000
Howard University, construction	1,810,000	2,920,000	2,920,000	2,920,000	2,920,000
Total, special institutions	18,849,000	22,020,000	22,111,000	22,187,000	22,187,000
OFFICE OF THE SECRETARY					
Salaries and expenses	3,281,000	3,811,000	3,570,000	3,570,000	3,570,000
Transfer from OASI trust fund	(479,000)	(483,000)	(483,000)	(483,000)	(483,000)
Office of Audit, salaries and expenses		3,180,000	3,313,000	3,313,000	3,313,000
Transfer from OASI trust fund		(493,000)	(510,000)	(510,000)	(510,000)
Office of Field Administration	3,939,000	1,886,000	1,772,000	1,772,000	1,772,000
Transfers	(1,340,000)	(1,326,000)	(1,326,000)	(1,326,000)	(1,326,000)
Surplus property utilization	1,001,000	1,053,000	1,053,000	1,053,000	1,053,000
Office of the General Counsel, salaries and expenses	1,267,500	1,435,000	1,435,000	1,435,000	1,435,000
Transfers	(907,000)	(879,000)	(879,000)	(879,000)	(879,000)
Educational television facilities	13,000,000	11,826,000	8,826,000	300,000	8,826,000
Total Office of the Secretary	22,488,500	23,191,000	19,969,000	11,443,000	19,969,000
APPALACHIAN REGIONAL DEVELOPMENT PROGRAM					
Expansion and improvement of vocational education, Office of Education	8,000,000				
Hospital construction activities, Public Health Service	21,000,000				
Grants for waste treatment works construction, Public Health Service	3,000,000				
Total, Appalachian regional development program	32,000,000				
Total, direct appropriations, Department of Health, Education, and Welfare	6,969,034,000	7,634,825,000	7,355,638,000	7,394,358,000	7,392,788,000
Indefinite appropriations	16,692,000	17,249,000	17,382,000	17,382,000	17,382,000
Total, direct and indirect appropriations, Department of Health, Education, and Welfare	6,985,726,000	7,652,074,000	7,373,020,000	7,411,940,000	7,410,170,000
TITLE III—NATIONAL LABOR RELATIONS BOARD					
Salaries and expenses	26,157,500	28,165,000	28,165,000	28,165,000	28,165,000
TITLE IV—NATIONAL MEDIATION BOARD					
Salaries and expenses	2,022,000	2,050,000	2,050,000	2,050,000	2,050,000
TITLE V—RAILROAD RETIREMENT BOARD					
Limitation on salaries and expenses	(10,700,000)	(10,650,000)	(10,650,000)	(10,650,000)	(10,650,000)
Payment for military service credits	13,834,000	16,558,000	16,558,000	16,558,000	16,558,000
TITLE VI—FEDERAL MEDIATION AND CONCILIATION SERVICE					
Salaries and expenses	6,334,000	6,652,000	6,610,000	6,610,000	6,610,000
TITLE VII—INTERSTATE COMMISSION ON THE POTOMAC RIVER BASIN					
Contribution to Interstate Commission on the Potomac River Basin	5,000	5,000	5,000	5,000	5,000
TITLE VIII—U.S. SOLDIERS' HOME					
Limitation on operation and maintenance and capital outlay	(7,018,000)	(7,076,000)	(7,076,000)	(7,076,000)	(7,076,000)
TITLE IX—FEDERAL RADIATION COUNCIL					
Salaries and expenses		166,000	166,000	166,000	166,000
Grand total	7,702,395,000	8,293,814,000	7,964,034,000	8,023,101,500	8,011,331,500
Consisting of—					
Direct appropriations	7,685,703,000	8,276,565,000	7,946,652,000	8,005,719,500	7,993,949,500
Indefinite appropriations	16,692,000	17,249,000	17,382,000	17,382,000	17,382,000

THE RIOTS IN LOS ANGELES

Mr. RUSSELL of South Carolina. Mr. President, there has been a good deal of discussion about the racial disturbances in Los Angeles. Many remedies have been prescribed. I think the lead editorial in the New York Times of today abounds in commonsense, and I ask unanimous consent that it be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

BEYOND THE LOS ANGELES TERROR

Surveying the wreckage, material and moral, wrought by the race war in Los Angeles gives the helpless feeling of witnessing an earthquake's toll or, more accurately, the shooting rampage of a madman. Yet there are ironies and lessons in this horror-strewn spectacle.

It is ironic that the violence comes in the wake of the most sweeping civil rights laws in the Nation's history. We will not draw a causal connection; we applaud the objectives of the legislation whatever the defects of certain provisions. Sociologists note, however, a possible psychological relationship, in that when advances are made for a group, those members who do not feel they are benefiting may turn more bitter than ever.

It is saddening too that the civil rights leaders, in pursuit of worthy aims, have done

so much to breed disrespect for the law. Here again we would not press the point too far. Still, the theory of obeying only the laws a person likes is dangerous doctrine in a civilized society. And it would be simple-minded to deny any link between that notion and the outbreaks in Los Angeles and elsewhere and, indeed, the rapid rise of crime generally.

In any event, a principal lesson is that the most far-reaching legislation and all the attention-getting, purportedly peaceful demonstrations cannot alone solve the fundamental problems. The studies all show it. Portions of the Negro community are on a treadmill of illegitimacy, crime, and isolation from the values of the society.

The high Negro birth rate alone is cause for pessimism. It can mean that for every individual who can be helped on the road to achievement, two others may be caught on the treadmill. In the face of such circumstances, a voting rights act appears almost as an irrelevancy.

It is utterly unjust, in our opinion, to lay the blame for these conditions exclusively at the door of the white man. We may well curse the day that white immigrants to the United States imported and held slaves; we cannot, century after century, nourish a guilt complex for ancestral evil. Unless, that is, we are prepared to accept the impossible proposition that we living today are guilty for every cruelty perpetrated throughout the eons of human existence.

Moreover, the individual's responsibility for his own life is fundamental to a free, civilized society. Other ethnic or national groups have come to these shores, some hardly better than as slaves and most the victims of prejudice and exploitation at first; a great many of them nonetheless prospered through initiative and frugality. While it is true that a black skin makes a special difference from the others, this phenomenon of nature is becoming less and less a consideration in the rewards of citizenship, employment policies, and social relations.

Not everyone, black, white, or whatever, can make out in this or any other country. There are poor whites, whites with inadequate intelligence or motivation, in Harlem, the South and Los Angeles; conversely the roster of successful Negroes is a long one. The glory of America is that, because opportunity exists for the individual, more people of all kinds have achieved the good things of life than anywhere else in the world today or at any time in history.

But if the Negro people as a group are to find significant improvement in the years ahead, they cannot rely entirely or even mainly on the white majority. The white community is trying to help, is going far more than halfway to meet the Negro, and yet in the end the Negro must do much more for himself.

That means in particular, we think, that the civil rights leadership should turn from its spectacular displays and occasional rabble-rousing and devote itself to a far greater degree to Negro individuals, Negro children, Negro families; to education in the home and group as well as in the school. We refuse to believe that considerable progress would be unattainable once more Negroes acted on the realization that further advancement requires a determined effort on their own part.

Hoodlums, it is said, set off the Los Angeles race war, which is still being waged as these words are written. Hoodlumism, we may be sure, will be put down. Meantime the gangsters and all the rest of us are, in part at least, reaping the whirlwind of a long sowing of needless bitterness, dissension, and contempt for order and common decency.

ATMOSPHERIC WATER RESEARCH PROGRAM MERITS CONGRESSIONAL APPROVAL

Mr. KUCHEL. Mr. President, the Senate Appropriations Committee, of which I am a member, is presently considering the Public Works Appropriation Act of 1966. Included therein is an item for the atmospheric water research program of the Bureau of Reclamation. As a Californian, and as a member of the Committee on Interior and Insular Affairs, intensely interested in any program that will increase precipitation and provide additional water for our rivers and streams, water which is so badly needed in many parts of our Nation, and our vast parched areas, I venture to hope that the Appropriations Committee will recommend to the Senate sufficient funds to continue the comprehensive programs of the Bureau.

There recently appeared in one of the fine newspapers in my State a series of articles dealing with weather modification by means of seeding of clouds. I ask unanimous consent that the articles from the Bakersfield Californian be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Bakersfield Californian, July 24, 1965]

MORE WATER AVAILABLE ARTIFICIALLY

(More than 20 years ago, a pair of General Electric Co. researchers sent a tiny airplane aloft with a load of dry ice. The purpose was to confirm an accidental laboratory discovery—that clouds of moisture could be persuaded to drop their water burden if an artificial nucleus were provided. The results of that flight opened the door to unrestrained predictions about how man would soon control his weather environment. Now after two decades, these dreams appear unfulfilled. Is practical weather modification an elusive mirage? Has mankind enjoyed the rewards of more water from the sky? Strangely, a meaningful answer to these questions may come right here in the southern San Joaquin Valley because of several recent—and some old—developments. Because of the local importance of these developments, the Bakersfield Californian presents a four-part commentary on the present status of weather modification as it relates in increasing rainfall. It has been prepared by Bill Mead, a recognized water specialist of this area.)

PART 1

How do you get people to pay for rain?

In a few words, this is probably the best answer to another question: Why hasn't cloud seeding accomplished more in the past 20 years?

During these same years, Americans have spent billions of dollars on projects to harness the water of countless rivers and move already fallen rain to places where it didn't fall. Yet there's impressive evidence to suggest that these water-diversion projects could be handsomely augmented by artificially stimulating more rainfall in water-short areas—for example, Kern County.

One of the main reasons why people have been quick to see the need for surface water distribution projects, but slow to give much credence to weather modification, gets back to human nature. When we build dams and canals, we can see the water we have trapped and we can measure it right to the place it's being transported, regardless how far away.

It's far different with cloud seeding. After all, who can prove that it wouldn't have rained anyway?

Only piles of statistics, gleaned over years of practical research, can bring to light the kind of ironclad evidence it takes to measure the economic value of cloud seeding.

Surprising to many people, much of the available evidence about the economic value of cloud seeding has been developed right here in Kern County.

For more than 15 years, a Taft-based firm called Precipitation Control Co. of California has stretched a "poor boy's" budget to lay plumes of silver iodide smoke (the modern successor to dry ice) on the billowing crowns of thousands of miles of rain clouds. Starting on the valley's west side, the firm has recently expanded its activities to the skies over the Sierra foothills.

Always faced with the built-in problem of how to get paid for its work, the Taft firm has survived through private contributions and the unwavering support of the Kern County Board of Supervisors.

Because its operations have been nip and tuck financially, Precipitation Control Co. has never been able to mount a weather modification campaign of large enough scale to give a precise answer to the question: How does it pay off in dollars and cents?

Several new developments, however, may change this picture and give everyone in the southern San Joaquin Valley a chance to see how cloud seeding may fit into the area's water program.

[From the Bakersfield Californian, July 27, 1965]

SENATOR KUCHEL TO AID IN RAIN TRY

Man's efforts to wring more water out of the clouds may soon take a big step forward in the southern San Joaquin Valley.

In Washington, California Senator THOMAS H. KUCHEL has set a firm course toward getting enough Federal money to carry out a unique cloudseeding research project called the Southern Sierra Study. Revealing his confidence in the value of cloud seeding, KUCHEL said in a letter to Senate Appropriations Committee:

"For several years some of the counties located in the lower San Joaquin Valley have carried on a cloud-seeding program. According to the data furnished me, these programs—although limited in scope—have proven highly successful. I am convinced that cloud seeding to increase water supplies in mountainous areas offers an excellent chance to increase precipitation by economically significant amounts. How better can we obtain the so badly needed additional water in our rivers and streams, and eventually into our reclamation projects, in such a dramatic manner without the necessity of the long delay and expense of constructing new works?"

Here at home, Kern County Supervisor Vance Webb announced this week the U.S. Bureau of Reclamation has signed a contract with Taft College for a two-part research effort on weather modification. The first part will be the development of ways to evaluate cloud-seeding operations in a given area. The second part will be the actual use of these newly developed procedures to measure the effectiveness of a specific cloud-seeding operation.

The pact is for $36,000, Webb was told by Taft College president, Garlyn Basham, and Walter Gartska of the USBR's Denver office. According to Webb, the research grant came as an outgrowth of an earlier weather modification research effort by Taft College instructor, Lawrence E. Peahl, in which he evaluated the results of cloud

seeding on the west side by Precipitation Control Co. of California, which is based in Taft. Peahl's study showed that precipitation in the firm's target area had increased 78 percent during the study period.

Webb hailed the new contract as "a long-overdue look at the practical value of local weather modification."

He said the Kern Board of Supervisors has invested money in cloud seeding for several years because all available evidence indicates that it more than pays its way. The major problem, he says, has been the lack of accepted yardsticks for pinpointing results.

"We have been highly impressed with the accomplishments of Precipitation Control Co.," said Webb. "We've tried to measure it objectively from every direction and the answer keeps coming out the same—Precipitation Control Co. has increased rainfall wherever and whenever they've had the money to work."

Webb's confidence in the soundness of cloud seeding has received backing this year from an unexpected source—a large and successful business organization in San Francisco.

The Robert Dollar Co., through its president, R. Stanley Dollar, Jr., has assumed an active role in the affairs of Precipitation Control Co. The move drew this comment from Supervisor Webb:

"Obviously the interest of such a well-known California business organization could only be attracted on merit."

[From the Bakersfield Californian, July 28, 1965]

RAINMAKERS' RECORDS INDICATE CLOUDSEEDING PROCEDURES PAY

One of the reasons why cloud seeding to increase rainfall has not become a more common practice is that it takes years of work and mountains of data to come up with conclusive evidence on how well it works and what's the best way to do it.

Here in Kern County, Precipitation Control Co., of California, has compiled an impressive record of weather information tending to show that its cloud-seeding operations have resulted in substantial rainfall increases.

Another source of data is the observation done by qualified local people.

One of these is Congressman HARLAN HAGEN. He's long been a booster for more weather modification research. HAGEN has studied rainfall records from Precipitation Control Co. and during recent years has laid much of the legislative groundwork in Washington that may bear fruit in Senator THOMAS KUCHEL's attempt to get more Federal research money for local weather modification firms.

Harry Hardy, operator of Bakersfield Livestock Auction, is another leader who thinks we might be missing a good bet by not supporting more cloud-seeding work.

Hardy is no visionary in his business. He lives in a world of weights and prices. Here is his opinion:

"I've watched cloud seeding in Kern County for several years, and I think it deserves more than the nickels-and-dimes support we've been giving it. I've looked at the grass in the Bitterwater area on the west side after clouds have been seeded there, and it is obviously much better feed than we would normally expect. I've seen the same results in the Sierra foothills after cloud seeding."

Hardy is in a good spot to see firsthand another of the many economic benefits claimed for cloud seeding. As cattle from all parts of the county have poured through his busy sales yard, he's noticed this:

"For the past 2 years, the earliest fat dry cows have come from the areas where cloud seeding has been done. I'll admit this is no scientific observation, but it's enough to convince me that a lot of people ought to quit laughing at what they call rainmakers and give the cloud seeders a fair chance to show how much they can do."

Hardy isn't the only working stockman who has noted interesting results from cloud seeding. Others report that calves from ranges in the target areas have weighed more at weaning time than ever before. They say this has happened in the past 2 years, the same period that cloud seeding has taken place in those locations.

Roland Curran, president of the Kern County Water Agency, has worked for more than 30 years in promoting more water for Kern County. He was a sparkplug in the drive to get the Central Valley project built and more recently has been in the thick of the fight to get Feather River project water for Kern County. About cloud seeding, Curran says:

"There is cloud seeding around here long enough to get some answers if people will only look at them. Those who have looked at the answers all say the same thing—it works. Right now the crying need is to expand cloud seeding in the Sierras to increase the snowpack."

Curran also points out one frequent misconception about the Kern County weather modification program, one that has worried an occasional row-crop farmer.

"None of the cloud seeding going on has any effect on rain in the valley itself," Curran explained. "The sole objective is to pile up more snow in the mountains, and encourage good forage growth in the foothills. I think one of the best measures of the success of the program can be seen in the flow of Poso Creek last year. It was the only stream in the entire State that produced the greatest amount of water in 25 years. It doesn't seem reasonable that this would have happened naturally, when it is so close to streams which didn't show any such gains. The only difference was that we seeded the watershed areas of Poso Creek."

Cloud seeing is of direct benefit to valley growers, however, in stepping up replenishment of groundwater supplies, said Curran, since virtually all of the groundwater under the valley floor comes from runoff of Sierra streams.

One of the most direct observations of cloud seeding results comes from Bert DeMarais, a Bakersfield charter pilot who has flown cloud-seeding runs for Precipitation Control Co. for 10 years. An instrument-rated pilot who regularly flies many local executives all over the West, DeMarais is actually the firm's junior pilot. Earl Turner, the firm's original "seeder" has just finished 12 years riding storms in the southern San Joaquin Valley.

As far as DeMarais is concerned, there is no uncertainty over whether cloud seeding makes for more rainfall.

"When we're up there working those clouds," he explains, "it's hard for us to understand how anyone can doubt that this thing works. We make a few seeding runs, then take a look under the clouds and it's raining pitchforks—not everywhere, but just where we laid on the smoke. How can you get around this kind of proof?"

[From the Bakersfield Californian, July 30, 1965]

RAINMAKERS LEARNED TRADE IN COCKPITS FLYING AMID CLOUDS

When the strange new technique of cloud seeding (artificial nucleation—the scientists called it) came out of the laboratory at the close of World War II, a rash of well-meaning people began heaving dry ice out of airplane cockpits, expecting a downpour to start any second.

Not so with Dave Merrill of Taft, president of Precipitation Control Company of California, which has been seeding clouds in the southern San Joaquin Valley for more than 15 years. When he became interested in this business, he first traveled thousands of miles to get the best thinking of reputable people in the field. But this still wasn't enough, he recalls.

"We soon found that getting more water out of those clouds depends on dozens of little 'nuts and bolts' techniques that had to be learned the hard way," Merrill said. "Our company has been learning and experimenting all the time, like a farmer does. We discovered by trial and error that effective cloud seeding isn't learned all from a book or in a laboratory. We learned our trade right up there on top those clouds in the same way a farmer gets his knowhow mostly on the seat of a tractor."

Merrill says this "hard knocks" method of learning is one reason why weather modification isn't practiced as widely as he and other experts contend it should be.

"Most of the official interest in weather modification has gone into 'way out' research that has no local economic value," he claims. "In huge university laboratories, scientists are making painfully slow progress toward weather satellites and schemes to regulate weather over vast land masses.

"In our company, we're interested in such down-to-earth problems as stopping dust storms around Taft and in putting more water into Isabella Reservoir. Our work hasn't captured the imagination of the academic minds, but it's mighty important to local farmers, hunters, fishermen, lumbermen, and every taxpayer."

Kern County Supervisor Vance Webb, long a champion of cloud seeding, wasn't taking a flight of fancy when he first convinced the board of supervisors that cloud seeding made good hard business sense. He got interested when he saw county road maintenance costs go down after Precipitation Control Co. began seeding clouds in a western Kern area that used to be called the dust bowl.

"When we saw that the dust bowl problem was being licked, we took a second look," Webb recalls. Then we discovered how much the county was saving in road maintenance expenses at the same time that rainfall there was beginning to exceed that of the Bakersfield area."

Now, Webb is hopeful that an unusual "three rivers" experiment might grow out of research on cloud seeding which is now getting underway at Taft College under a contract with the U.S. Bureau of Reclamation.

Under this plan, three adjacent rivers in the Sierras would be selected for the test. Precipitation Control Co. has offered to seed the water shed area of the center stream of the three, leaving the outside streams unseeded as "controls." Unless the seeded stream produced runoff greater than would be normally expected on the basis of the flow of the "control" streams, the firm would receive no pay for its services.

Webb claims the experience of the past 15 years more than justifies such a test.

"With proven techniques of cloud seeding available, and with the evaluation procedures to be developed in the Taft College research program, the time will be ripe to find out just how worthwhile an aircraft weather modification can be to the economy of this area," he says.

In Webb's corner on this issue is Senator THOMAS H. KUCHEL.

"I believe that sufficient progress has been made in dynamic meteorology to justify serious consideration by the Bureau of Reclamation of an expanded program in our southern Sierra region," KUCHEL said. "Instead, the program is in danger of being stopped by a lack of funds before it has a chance to get started. This must not happen. With the background established by our local governments and private industry, the program launched by the Bureau can move ahead rapidly."

SALUTE TO THE REPUBLIC OF GABON

Mr. KUCHEL. Mr. President, the end of colonialism and the emergence of free, self-governing nations which has been a postwar accomplishment in Africa brings about the observance of the fifth independence day for the country of Gabon on this date.

This scantily populated republic with a history stretching back to times predating settlement of our own country looks optimistically toward the future because of a wealth of natural resources and a history featured by harmonious relations with the longer established democracies. Fortunately for the people now burdened with heavy responsibilities, Gabon can draw on experience in the conduct of public affairs gained from warm association with Western Europeans.

For our own country, irrevocably committed to the ideals of human dignity and individual freedom, it is heartening that Gabon has remained aloof from the Communist lure which has influenced the course of many other fledgling republics on the vast African continent. Likewise, it is reassuring that Gabon possesses great potentials for sound economic development in her forests, mineral deposits, and hydroelectric capability. That country's willingness to welcome private investment and enterprise presents a cheerful prospect for international cooperation which can improve the living conditions and brighten the outlook for Gabon's aspiring citizens.

On this occasion, it is fit that the United States, now nearing the 200th anniversary of freedom, should salute the republic of Gabon, its Ambassador, His Excellency Aristide N. E. Issembe, and its dedicated public officials led by Head of Government Leon M'Ba as they observe their fifth independence day.

SOME OBSERVATIONS OF RICHARD WILSON ON FACTORS IN U.S. FOREIGN POLICY AND VIETNAM

Mr. McGOVERN. Mr. President, Mr. Richard Wilson, chief of the Cowles publications Washington News Bureau, has written a perceptive column on the role of the U.S. Heartland in American policy, which appeared in the Washington Star on August 16.

I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MISSILE TARGETS IN U.S. HEARTLAND

(By Richard Wilson)

The tragic loss in the missile silo explosion in Arkansas brings to mind that these strategic military sites are located in the heart of the country.

So is headquarters of the Strategic Air Command and other SAC bases. These are the primary enemy targets in any conceivable nuclear war. Any enemy plan of action must depend on paralyzing them before missiles and planes from these bases are launched in retaliation.

Thus the once protected heartland of the Nation becomes the front line of defense, the first to feel an enemy's blow. In the nuclear age this means that vast clouds of lethal radioactive materials would be hurled above and fall upon many States in that section of the Nation which was once the home of isolationism.

It is a cruel anomaly. Events have exposed to desolation the geographical area where sentiment was once strongest against international entanglements and commitments. This is not to say that the great cities of the east and west coast or the Midwest are immune from attack. But there are stages of escalation in an imagined nuclear conflict in which only primary military targets would be struck. The critical military targets are in the heartland.

So it is that the 8,000 residents of Searcy, Ark., and the 30,000-plus residents of Minot, N. Dak., may be closer to ground zero than Washington, D.C., and there are other towns equally exposed: Salina, Kans., Mountain Home, Idaho; Wichita, Kans., Great Falls, Mont.

In fact, the greatest concentration of hardened-based Minuteman missile launchers—some 600—are in Montana, South Dakota, North Dakota, and Missouri.

This is something that people in the heart of the country do not like to think about or talk about, but it may be possible that, consciously or subconsciously, their attitudes are affected by their exposure to ground zero.

In many small colleges in the heart of the country the feeling against nuclear war or any kind of war runs strong, as pacifism ran strong in the 1920's.

U.S. Senators and Members of Congress from some of these States are the most doubtful about the war in Vietnam: Senator MIKE MANSFIELD, from Montana; Senator GEORGE MCGOVERN, from South Dakota; Senator FRANK CHURCH, from Idaho; Senator J. W. FULBRIGHT, from Arkansas.

In the early days, those who disagreed with the isolationist Senators said they were truly isolated geographically, and thus had no appreciation of the stakes and interests involved. But this is not true any longer. The interests, in fact the existence, of Idaho, Montana, North Dakota, and South Dakota would be at stake, while, in one stage of nuclear escalation, New York City, Chicago, and Los Angeles might be spared—at least temporarily.

Yet it is evident that some of the same currents are running as 30 and 35 years ago, the same inclination to be isolated from the war in Asia as from the then oncoming war in Europe, but perhaps for sounder reasons.

Those who are opposing the further involvement that might lead to a war with Communist China are not truly isolationists, but, like the isolationists of the twenties, they refuse to relate the vital interests of the United States to events taking place across a great sea. They deny that there is any comparability between the interests which were at stake in Europe and those which may be at stake in Asia.

It is undoubtedly because these responsible opponents of President Lyndon B. Johnson's policy think that he has slowed down that they now have accepted quietly the new set of conditions on the Vietnam buildup.

They have, in fact, gotten certain concessions to their point of view from the President, insofar as he abandoned stronger action which he appeared on the verge of taking.

So, the voices from the exposed heartland are not going entirely unheard. Whatever the argument between Johnson and the Republicans on whether or not he was slowed down by the Democratic voices from the great exposed places, the fact remains that Johnson did not go as far as his opponents feared he would.

DEATH OF HON. C. PETRUS PETERSON OF NEBRASKA

Mr. CURTIS. Mr. President, Nebraska mourns the loss of one of its most distinguished citizens, Hon. C. Petrus Peterson, who died last Thursday, August 12, 1965, at the age of 85.

Active in civic affairs, an attorney and State legislative leader, and nationally recognized for heroic efforts in the interest of water conservation and reclamation, C. Petrus Peterson carved an indelible place in the history of his State and Nation. He won the esteem of all who knew him, and they are legion.

A native of Polk County in east-central Nebraska, Mr. Peterson was educated at Luther Academy in Wahoo, Nebr., and Augustana College in Rock Island, Ill. He earned his law degree from the University of Nebraska at Lincoln, and in 1946 was awarded an honorary doctor of laws degree by Augustana.

Mr. Peterson had made his home at Lincoln, Nebr., since 1911, and he was a member of the State house of representatives 50 years ago. He served two terms in the house and in 1919 became a State senator. While serving as Lincoln City attorney he twice was a delegate to constitutional conventions, and helped write the present Nebraska State constitution. In 1941 he was elected to the first of four terms in the Nebraska unicameral legislature, serving as speaker in 1945.

Long identified with water conservation and reclamation efforts, Mr. Peterson was a leader in establishing the Nebraska Reclamation Association in 1944 and served as president of that organization for 2 years. He later served 4 terms as president of the National Reclamation Association, and in the late 1950's was an assistant for reclamation matters to the then Secretary of the Interior, Fred A. Seaton of Hastings, Nebr.

His stature among reclamationists of the country was such that in 1952 Mr. Peterson was the 13th nominee to the Reclamation Hall of Fame.

Among the many honors earned by Mr. Peterson was the Lincoln Kiwanis Club Distinguished Service Medal, awarded in 1958. Five years earlier, he had received the highest nonacademic honor offered by the University of Nebraska, known as the Builder Award.

Aside from his many achievements, Mr. Peterson will be remembered for his warm personality and keen wit. He will be remembered for his practical approach to problems, and for his deep concern for his fellow man.

Once, commenting upon his long service in the interest of water conservation, Mr. Peterson was quoted as saying: "No one who knows what happens to a community when water is short, who has planted and cultivated and then seen the crops die, can ever forget."

In conclusion, Mr. President, I ask unanimous consent to include as part of my remarks an editorial from the Lincoln Journal for August 13, 1965, entitled "Death of a Great Nebraskan."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

DEATH OF A GREAT NEBRASKAN

C. Petrus Peterson was "of Nebraska" and "for Nebraska." Because of this, the State is richer.

His dedication was enhanced by his great talents as a thinker, a doer, and a visionary. He used these talents during his years in

the two-house and the one-house legislatures. To these, he added his political acumen, employing to the fullest "the art of the possible." One writer called him the "Great Compromiser," not of principle but of detail.

One of the monuments he built for himself was his work in reclamation. It was as State senator that he started his campaign for the conservation of water and resources, a campaign which he carried on in Nebraska and in the Nation for the remaining years of his life.

How great a part his physical stature and his gift of oratory played in accomplishments can only be surmised. But to see and hear C. Petrus Peterson was to remember him.

The esteem in which he was held was demonstrated in June of this year when he was invited to speak to the 1965 legislature and was given a standing ovation by the senators. A reporter said of him then, "His white hair testimony to his years, but his memory undimmed, Peterson said, 'The legislature is not intended to be a brain trust. It is intended to be a responsible group chosen by the people—a system which has endured through the years.' "

Mr. Peterson's ethnic and pioneer origins shaped his life. He was born to Swedish immigrants who settled in Polk County. He went to a country school and only after he became an adult did he go on to higher education, first considering the ministry but finally deciding on law, which gave him great opportunity to use his gifts of leadership, oratory, and persuasion.

As a first-generation American he clung to some of the customs brought from Sweden by his parents, a delight to those with whom he shared them. His sauna bathhouses were famous and ever available to his friends.

Early life on a farm gave him an understanding of Nebraska and Nebraskans that served him well in serving Nebraska. In the death of C. Petrus Peterson, Nebraska has lost a man who was a delight to know and a man who left the State a better place because he had lived in it and loved it.

THE INDEPENDENCE DAY OF GABON

Mr. LAUSCHE. Mr. President, this summer of 1965 holds special significance for several of the newly independent nations of Africa. Five years ago these nations sought and achieved their independence from France. Among these nations was the Republic of Gabon, whose people will celebrate the fifth anniversary of the formal declaration of their independence on August 17.

Gabon is an interesting and unusual country. Small in size, and with a relatively small population, it possesses immense natural resources. These resources help to explain why Gabon has always had a favorable balance of trade and payments. In past years, Gabon has relied heavily on lumber exports from its rich equatorial forest. In recent years, vast mineral deposits have been discovered—iron ore in the northeast, manganese and uranium in the southeast, and petroleum fields on the coast around Port-Gentil. Some of these resources are already being exploited. The exploitation of others awaits the completion of transportation networks and production facilities. Already, however, the income from mineral wealth has underwritten much social and economic progress since 1960. The future is rich in promise.

The Republic of Gabon is also unusual because it has chosen to follow an atypical course in international affairs. It maintains very close ties with France, believing that fruitful cooperation with the former metropole does not jeopardize its independence. It has chosen not to enter into diplomatic relations with any member of the Sino-Soviet bloc. While participating in the work of the United Nations and many of its specialized agencies, and while promoting cooperative ties among African states, Gabon has nevertheless assigned secondary importance to a prominent international role and primary importance to progress at home. The people of Gabon have obviously benefited from this order of priorities.

Mr. President, it gives me great pleasure to send my greetings to the people of Gabon on the anniversary of their independence, to salute them for their recent achievements, and to wish them every success in the future.

PROJECT DIADEM

Mr. MUNDT. Mr. President, the importance of international exchanges was long ago confirmed as we witnessed the tremendous strides being made in generating better understanding through our various people-to-people programs.

Just recently, my home State of South Dakota was host to an exchange-type program in which agriculture extension leaders from some 40 countries came to this country to discuss the work and role of extension services in helping people help themselves to the better life.

Another program, which I would like to bring to the attention of the Senate, involves a South Dakota lad who has been in Denmark this summer as one of a group of young handicapped Americans representing every State and territory of the United States.

This program is called Project Diadem, which stands for Disabled Americans' Denmark Meeting.

The project was originated by Lord Mayor Urban Hansen of Copenhagen and by Marshall Fredericks, distinguished sculptor of Royal Oak, Mich.

The National Society for Crippled Children and Adults is cooperating in this significant venture to help further reduce the barriers to understanding among the peoples of the world.

Participating from South Dakota has been Ronald Anderson, of Astoria, S. Dak. In a recent letter from Ronald, written from Denmark, he wrote:

ASTORIA, S. DAK.

DEAR SENATOR MUNDT: I am sincerely enjoying my trip to Denmark. The Danish hospitality is more that one could believe. The Danish people are truly ambassadors of good will.

The ambassadors of the Diadem group hope that we are spreading as much good will as the Danish people are.

I am very proud and honored to be representing the State of South Dakota. I hope that I can do honor to our State.

Respectfully yours,

RONALD ANDERSON.

Mr. President, Ronald's letter demonstrates, I believe, the success such ventures achieve, and, knowing something about this fine young man, I am confident that he and his companions have extended an abundance of good will for America and truly has brought honor to our State as well as to the Nation.

Mr. President, I ask unanimous consent to have printed in the RECORD a report on Ronald's trip as contained in a recent issue of the Clear Lake Courier, a weekly newspaper published in Ronald's home county in South Dakota.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

RONALD ANDERSON, ASTORIA, ON THRILLING TRIP TO EUROPE

Ronald J. Anderson, of Astoria, is a member of the group of young handicapped Americans representing every State and territory of the United States, now in Denmark on a unique international good will project named Project Diadem. The project was originated by Lord Mayor Urban Hansen of Copenhagen and by Marshall Fredericks, distinguished Royal Oak, Mich., sculptor.

The party, whose travel in the United States is sponsored by the National Society for Crippled Children and Adults, is spending 3 weeks in Denmark visiting many points of historic and cultural interest as well as studying institutions of all kinds relating to care and education of the handicapped. Official receptions by the Lord Mayor, U.S. Ambassador Katherine Elkus White and the mayors of many Danish cities are on the schedule, as is luncheon with Princess Benedikte at one of Denmark's most famous restaurants.

The group is also being entertained in private homes, at famed Tivoli Park and in a score of other places such as institutions for handicapped children and adults and the aged as well as the summer home of the former Prime Minister and other prominent Danish persons. They were guests of honor at the Fourth of July celebration at Rebild, where Mayor Robert Wagner of New York was chief speaker and members of the royal family of Denmark as well as some 40,000 Danes were present.

The following account is from Ronald and recorded directly from Copenhagen, Denmark:

I am embarking on the greatest voyage of a lifetime. I hope that I can prove myself worthy of the honor that has been bestowed on me. Some day I hope I can be part of making such a trip possible for someone. I have talked to many of the ambassadors and all of them feel as I do about the future. We all have this in common: we are all trying to get an education and have high hopes for a great and secure future. It is a privilege to be traveling with such a group.

The Danish people gave us a royal reception. I am very impressed by the cleanliness of the city of Copenhagen and by the tremendous hospitality of the Danish.

Mrs. Fanny Hartmann, Chief of Ministry of Social Affairs, gave a very interesting lecture about the Government duties and responsibilities to its people. I believe in a certain amount of socialized government but wonder if people should have everything done for them.

Mrs. K. Elkus White, the U.S. Ambassador, gave us a wonderful reception at the American Embassy. I talked to Mr. McGee, our Ambassador to Germany, which I enjoyed very much. He asked me if I would ever be interested in the Foreign Affairs Service. It has its possibilities now that I think about it.

We had lunch at the Collective House for the Disabled in Copenhagen. This is a very interesting place where apartments are available for handicapped people and all the treatment and hospital care is under the same roof. But everyone is free to live as

they wish and there are only one-third of the residents who are handicapped, so they will be part of a normal community.

OUR WHEAT POLICY

Mr. YOUNG of North Dakota. Mr. President, there continues to be considerable opposition to selling any wheat to Russia or Communist bloc countries. Strangely enough, many who oppose such sales seem to think nothing of selling such commodities as soybeans to them. Some of the major ingredients of ammunition can be extracted from soybeans. Yet, wheat is the only farm commodity for which there are restrictions on shipping to Russia or its satellites.

Mr. President, one of the better editorials I have read on this subject is one entitled: "Our Stupid Wheat Policy" in the August 16 issue of the Bismarck Tribune published at Bismarck, N.D.

I ask unanimous consent to have this editorial inserted in the RECORD as part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Bismarck (N.D.) Tribune, Aug. 16, 1965]

OUR STUPID WHEAT POLICY

According to W. C. McNamara, chief commissioner of the Canadian Wheat Board, farmers in Canada now have a market for every bushel of wheat they can harvest in 1965, regardless of the size of their crop.

This enviable situation is made possible largely by another Russian purchase of Canadian wheat, a 173 million-bushel deal which will bring to 221.6 million bushels the total Canada is to let Russia have this crop year.

North Dakota wheatgrowers, their income drastically reduced by the smaller acreages which have been forced upon them, may be pardoned if they look with some envy toward their Canadian cousins to the north.

If the Russians had been able to buy as much of the same kind of wheat in the United States as they're buying this year in Canada, it would have virtually eliminated the 278 million-bushel carryover of Hard Red Spring wheat.

No matter how big a crop we raise in North Dakota this year, it wouldn't be nearly big enough to fill this one order. But, as it is, our 1965 crop, estimated at 132 million bushels, will add substantially to the already large surplus. Because markets open to the Canadians are closed to us, we keep piling our wheat up in storage and keep on reducing farm wheat acreages and farmer earning power. Canadians expand wheat acreages and add to the income of their wheat farmers.

An important reason for this situation is a Federal order that half of all wheat shipped to Russia must be hauled in American ships, whose rates are so much higher than those of foreign lines that they price us out of the business. Here's a shipping subsidy, forced by the American maritime unions, that is being paid out of the wheat farmer's pocket because it cuts his wheat income.

The situation is ridiculous. And North Dakota, which raises the wheat most seriously in growing surplus, is the chief victim.

SERGE SAXE WRITES AN ODE AND JACK REYNOLDS A PROSE TRIBUTE TO THE MEMORY OF J. FRANK DOBIE

Mr. YARBOROUGH. Mr. President, nearly 1 year ago, on September 24, 1964, J. Frank Dobie passed away, and America lost one of the great progressive minds, intellectual giants, and free thinkers of our time. At the time of his death, many men were inspired to pay tribute to J. Frank Dobie in writing, because of the emotions he stirred within them, because of the symbol of life and freedom he represented to them. Many of these tributes were placed in the RECORD by me shortly after his death, with the unanimous consent of the Senate.

The books and writings of J. Frank Dobie were confined mainly to the life and lore of the American Southwest, but his love of nature and love of life knew no boundaries. His message transcended all barriers of environment, and reached men of varying intellectual stature and levels of society, the rich, and the poor, the great, and humble minds. He reached them, because his writings stirred a basic response in the hearts of all men: The love of life and freedom. J. Frank Dobie saw man as a part of nature, and thus loathed the disregard and destruction of man's natural environment.

Frank Dobie was progressive, intellectually in advance of most of the people of his time, but he touched a chord of response in men everywhere. With wisdom and wit, he imparted the lore of his beloved Southwest; but he contributed as much to the political and governmental life of his State and Nation as he did to the world of literature, because he called out to the hope, freedom, and dignity of man, and people acted in response to the attitude and emotions he touched.

Now J. Frank Dobie is gone, but men still pay tribute to him in both poetry and prose, because of the universality of his teaching and writing. Two such tributes are an article by Jack E. Reynolds, a learned book man of Los Angeles, entitled simply "A Tribute," printed on pages 9 and 10 in the December 1964 issue of the Branding Iron, a quarterly publication of the Los Angeles Corral of the Westerners; and "Ode to the Memory of J. Frank Dobie," by Serge Saxe, the internationally known composer, music critic, and writer. This ode is printed on pages 90 and 91 of Mr. Saxe's new book entitled "Universal Pursuit: The Creative World of Serge Saxe," published by the Texas Quarterly Studies.

These two tributes to the great J. Frank Dobie are among the finest I have ever seen, and I ask unanimous consent to have them printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

A TRIBUTE: J. FRANK DOBIE, 1888–1964

(By Jack E. Reynolds)

The literary legacy of J. Frank Dobie, is a permanent part of the struggle for the continuity of a free America. Of his many honors, none was more relevant than the Presidential Medal of Freedom, which he received on September 14, 4 days before his death. In no lesser degree than his two friends and compatriots, Roy Bedicheck and Walter Prescott Webb, Frank Dobie was an ardent conservationist. The rapacious destruction of man's natural environment was an anathema to him. When he wrote about the coyote, the longhorn, the mustang, and his fellow man, he revealed a deep-rooted faith in free men pursuing their destinies on a land unspoiled by irretrievable exploitation. The essence of Frank Dobie's appeal for and preservation of nature's general glow was expressed in these lines of Gerard Manley Hopkins:

"What would the world be, once bereft
Of wet and wildness? Let them be left,
O let them be left, wildness and wet,
Long live the weeds and wildness yet."

The books of J. Frank Dobie are mainly devoted to the region known as the American Southwest, but his treatment of that region is never parochial. He once wrote, "Nothing is too provincial for the regional writer, but he cannot be provincial-minded toward it," and again he said, "Great literature transcends its native land, but none that I know of ignores its own soil." Texas can no more claim J. Frank Dobie than Ulm-on-the-Danube can claim Albert Einstein; their minds soar beyond political and geographical boundaries.

The Los Angeles Westerners who were fortunate to be present at the dinner meeting the night Frank Dobie was their honored guest will not forget his enormous power to entertain and inform an audience. His very presence intensified the camaraderi of the membership and for a few memorable hours everyone enrolled in Frank's "eat, drink, and be merry school." The westerners who brought copies of Frank's books to be autographed were not disappointed. He inscribed them until he had writer's cramp. Frank had a sincere appreciation for the loyalty of the collectors of his books, and he felt his being asked to autograph them was the highest compliment.

J. Frank Dobie is gone, but the evening melody of crickets, the fragrance of coffee boiling over a campfire, the bark of a coyote on a moonlit night, and the dawn call of a bobwhite will forever be more meaningful for those who have listened to this immortal teller of tales.

He lived, he loved, he interpreted, he left his tracks in better stuff than sand. Like those mustangs of "Grecian grace" that his prose enshrined, J. Frank Dobie fought for freedom, unconfined by prejudice, assuming nothing, responsible to himself and to his fellow man. Now he rests in the soil of his beloved Texas, reminding those who knew him and who are nourished by his works of the rudeness of death, the aloneness that comes when mortality confounds us.

ODE TO THE MEMORY OF J. FRANK DOBIE

Compassion, valor, and a glowing heart,
Never to shrink from conscience-pledged decision
Was rooted plummet-deep, not to depart
An inch from his domain of mind and vision.
Wisdom and knowledge, sparkling wit and hope,
And close to nature's mystery and meaning,
Yet from the Nueces River did his scope
Develop into universal regions
Of golden wings of love and cheer for legions.

Vast were the spheres of his exploring mind
But vaster still the range of his humanity.
His tales and yarns were legends of a kind
That brought to life the past from its captivity,
That conjured blessings of a sun long set,
Of western skies and years not vanished yet.
Mustangs and longhorns, San Jacinto corn,
The living and the free, the downtrodden and forlorn,
They all are players, jubilant and torn.

Oh meteoric light that is no more,
A seer's radiant eye is closed whose beam
Reflected sunlight on the ocean's shore,
His manly grace and laughter but a dream.
A Texan in England, who was Cambridge's pride,
He loved his native State, proclaimed its lore.
His was a "pardlike spirit beautiful and swift"
As Shelley, whom he loved, was able to uplift
His soul in darkened days and make it soar.

What then we ask ourselves in desolation,
Is such life's meaning? Pondering its flame
It burns, undying—although dead. It came
From dawn in Live Oak County to illume the Nation
In wholesome warmth and deep awareness of her land,
Of man and beast and every dweller's pride—
And freedom's spirit high, unfettered, like a ride
Of all the creatures, tameless and unbowed—
It spurns the prison of the mind and loud
Resounds the fanfare of the future, promising and proud!

VICE PRESIDENT'S ADDRESS TO 66TH NATIONAL CONVENTION OF THE VETERANS OF FOREIGN WARS

Mr. DOUGLAS. Mr. President, the 66th National Convention of the Veterans of Foreign Wars meeting in Chicago was fortunate yesterday to have as their keynote speaker the Vice President of the United States.

I am impressed by the Vice President's cogent statement of our purposes in Vietnam and I think others will find his address well worth reading. In responding to those who ask "Why do we fight in Vietnam?" the Vice President paraphrases Churchill's comment in 1940:

If we left off fighting, you would soon find out. If aggression succeeds in one part of this world—

The Vice President asserts—

it will quickly follow elsewhere. If we fail to stand today, we shall have to stand tomorrow even closer to home.

I comment the Vice President's address to all those who sincerely seek an answer to why we fight in Vietnam. I ask unanimous consent to have it printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS BY VICE PRESIDENT HUBERT HUMPHREY, VETERANS OF FOREIGN WARS, AUGUST 16, 1965

I am honored to deliver the keynote address to this 66th National Convention of the Veterans of Foreign Wars of the United States.

I am grateful to your commander in chief, Buck Jenkins, for his kind words of introduction.

President Johnson, before I left Washington, asked me to convey to you his appreciation for the good work you have done throughout the years—and today as well—to make this a safer and freer world.

I join the President in that message of appreciation.

You cannot realize how much it means to your Government to know that there are strong and brave Americans standing in support when that support is most needed.

When necessity dictated action in the Gulf of Tonkin and in the Caribbean your commander in chief telegraphed the President your firm pledge of support.

A few months ago, during a time of uncertainty in the Atlantic Alliance, you demonstrated this Nation's commitment to that Alliance and to NATO when you conferred your Bernard Baruch Gold Medal on Gen. Lyman Lemnitzer before representatives of all NATO nations.

And then you sent your commander in chief to southeast Asia to tell the leaders and the people of that part of the world that the VFW stood with President Johnson and the pledges this country had made there.

Buck Jenkins visited, too, our men in uniform in southeast Asia. He went to the Cambodian frontier, to the surrounded base of Da Nang, to the marine beachhead at Chu Lai to tell our men that you were with them.

Today—facing great challenges in the world and at home—we Americans must work together in unity. We cannot afford in this country to give way to animosities and prejudice and division.

Your leadership in helping to create that national strength and unity has never been felt or needed more than today.

But let me get to what is on our minds.

Today in Vietnam we are being tested by strong and tenacious adversaries. We face an assault by an enemy organized in detail, trained in depth, skilled in a strange kind of warfare we Americans have only begun to understand. We face an assault by adversaries able to infiltrate thousands of men across boundaries, to regroup those men into disciplined units, to attack weak points and then to fade away in face of equal or superior strength. We face an assault by men who use terror and assassination against civilians as normal weapons.

We face something else as well: The fact that the totalitarians feel that time is on their side—and their belief that we will inevitably tire and withdraw.

Today there are voices raised in this land which say: "Why are we there? Why do we fight? Let us pull back to a safer, easier place."

To these voices I answer with the words of Winston Churchill.

In 1940, Churchill was asked "Why does Britain fight?"

And Churchill said: "If we left off fighting, you would soon find out."

In Vietnam, if we left off fighting we would soon find out.

For Vietnam is the testing ground of that misnamed "war of national liberation." (And what a cruel joke this liberation really is: Liberation from life, from property, from justice, from human dignity.)

By this new form of totalitarian aggression—and that is what it is—our adversaries seek to demonstrate once and for all that peaceful coexistence does not work. They seek to demonstrate that aggression and reckless militancy brings victory. They seek to demonstrate—as Hitler and Stalin tried to do—that democracies are weak and flabby. They seek to demonstrate that, when faced with a choice, democracies will sacrifice small nations to save, even temporarily, their own hides.

Three Presidents of the United States have pledged this Nation to the defense of South Vietnam.

Three Presidents of the United States have given notice to the Communist aggressors: The cost of aggression comes too high. You must leave your neighbors alone.

Make no mistake about it. If aggression succeeds in one part of this world, it will quickly follow elsewhere. If we fail to stand today, we shall have to stand tomorrow even closer to home.

Let it be known, then, that we will honor our commitment in Vietnam, just as we honor our commitments in other parts of the world.

Now, just what are our objectives in Vietnam?

Our first objective is to prove to the Communist aggressors that free men will not yield to force of arms.

That is why we have strengthened our forces in Vietnam. That is why we have increased our assistance to a brave South Vietnamese army and a brave South Vietnamese people.

The South Vietnamese Army since 1961 has suffered 25,000 dead and 51,000 wounded—greater losses, in proportion to population, than we suffered in all of World War II; 10 times our losses in the Korean war.

That South Vietnamese people, last year alone, lost 436 local officials to assassination, lost another 1,100 officials to kidnaping and an unknown fate, lost 11,000 civilians to murder, kidnaping, and forced labor—but, in face of intimidation, turned out to vote in recent elections in far higher percentages than we usually reach in our own American elections. A full 67 percent of the South Vietnamese adults—under threat of death—registered to vote. And some 73 percent of those registered did vote.

Our second objective—once we prove to the aggressors that aggression will not work—is to bring a just peace to a land that has gone too long without peace.

We have made it clear, again and again, that we are ready to negotiate toward that just peace.

For, as our President has said, we fear the meeting room no more than we fear the battlefield.

No less than 15 times we have offered to begin discussions. Many nations have sought to bring the aggressors to the conference table.

But the reply has been "no."

What must we do?

We must continue to resist aggression. And we must continue to pursue peace.

We must make the aggressors realize that democracies have learned their lessons well. We must make them realize that our patience is greater than theirs and that time is on our side.

And at the same time we must continue to recognize that the people of Vietnam, as people everywhere, must have hope of a better day. We must continue to do all we can to help create, in South Vietnam, in southeast Asia, in all places where man desperately hopes for a new tomorrow—we must help create societies which offer man something to live and work for.

Let us not forget: The real revolution in the world today is the revolution which took flame from our own in America, the revolution toward opportunity, human dignity, self-determination, and self-respect.

We are the authors of this world revolution. It is our obligation, in our strength and wealth, to give it continued life. And it is—in Vietnam, in Europe, in Latin America, in great nations and small—our obligation to defend it when it is threatened by ruthless force. And this we shall do.

We are meeting the responsibilities of leadership, and we are meeting them with strength and courage.

Strength and courage are what we will need.

For there is no end in sight to the burdens we must carry, to the challenges we face.

The American people are a great people. And greatness is what the times demand.

The American for today and tomorrow must be, will be, the same restless, adventurous citizen as his forebears.

I see him as the son of a rich nation, yet a person of conscience with a deep concern for his fellow man.

I see him as one who has defeated the enemies of freedom, yet extends the hand of friendship and cooperation to build a new and better world community.

I see him surrounded by materialism, yet questioning its value, impatient with things as they are, but not impetuous in remedy or judgment.

Strong, but not belligerent.

Willing to debate, but able to decide.

Yes, the road ahead demands an American Nation fully able to wear the mantle of leadership.

And so today we are building here at home an America both free and secure—a nation, under God, truly indivisible with liberty and justice for all.

And in this task we ask your continued help: The task of extending opportunity and justice to all our citizens, the task of

building a vigorous and expanding economy, the task of forging a nation of free people able to stand a contest of will with any totalitarian.

We Americans, too, are devoting ourselves today to the belief that what we do is not for our benefit alone, but for the benefit of all mankind.

And again in this task, too, we ask your continued help: The task of helping struggling nations into citizenship in the world. And make no mistake about it, these nations—a full two-thirds of the world—are targets for those who promise quick and easy solutions to old and complex problems.

And, finally, in America today we are putting ourselves to the greatest test which free men face—the willingness to risk our lives, fortune, and sacred honor on alien soil to keep a commitment; to resist the aggressor; to restore the peace.

Each man here today has, at one time, put himself to that same test.

And each man here stood his ground for his country and for freedom.

The family of man has much to lose to the takers, the destroyers, the aggressors. The family of man has much to gain in a world of peace and opportunity.

There is a time when men must stand in face of force and those who break the peace.

In the words of our President: "We will stand in Vietnam."

THE TRAINING OF CONGRESSIONAL STAFF MEMBERS

Mr. TOWER. Mr. President, on July 21, the Senator from Alaska [Mr. BARTLETT] introduced a bill (S. 2345), of which I am now a cosponsor, to amend the Government Employee's Training Act. This bill, if enacted into law, would extend to legislative employees the opportunity to participate in professional and career training programs and meetings.

The role played by congressional staffs in the legislative process has steadily increased in importance over the past half century. Today, the functions performed by congressional staff members are absolutely vital to the successful conduct of congressional duties.

Given the importance of staff, it is imperative that congressional staff members be well trained in the techniques and skills necessary to perform their duties. S. 2345 would enable congressional staff members to improve and augment their skills by participating in programs conducted successfully by various administrative agencies since 1958.

These programs cover a number of training areas. Of particular value to congressional staff members would be the clerical and technical skills training; training in administration, management, and supervision; and executive development.

Another benefit that congressional staff members would derive from the bill is the opportunity to participate in the 2-week interagency conferences which have been so successful in upgrading the professional and managerial competence of the civil service. Participation in these conferences would give congressional employees a valuable opportunity to exchange ideas relevant to the performance of their duties.

Economy is an additional virtue of S. 2345. The bill calls for utilization of existing training programs wherever possible, programs designed especially for Government employees. One of the most valuable features of the interagency training programs which has emerged in its 7 years of operation is the pooling of resources.

Congressional employees would not be limited to participating in the interagency training programs. When the need arises, they would have the opportunity to spend up to 1 year in nongovernmental training institutions, including our leading colleges and universities.

Mr. President, I strongly urge that serious consideration be given this measure. In this day of increasing executive power, Congress should avail itself of every opportunity to preserve its constitutional status as a coequal branch of Government. Given the vital importance to the congressional process of a well-trained staff, assuredly, this is one such opportunity.

MERGERS OF FINANCIAL INSTITUTIONS—ADDRESS DELIVERED BY MATTHEW HALE, CHIEF OF STAFF OF THE COMMITTEE ON BANKING AND CURRENCY

Mr. ROBERTSON. Mr. President, during my service in the Congress, which commenced nearly 33 years ago, it has been my good fortune to serve on committees with staff members of exceptionally fine qualities. I doubt if any congressional committee has ever had a better staff than that of the Ways and Means Committee of the House during the 10 years that I was privileged to serve on that committee. And, while the heads of all committee staffs in the Senate are exceptionally able men, I doubt if any is better than Matthew Hale, Esq., chief of staff of the Senate Banking and Currency Committee. Mr. Hale, who has been with the Banking and Currency Committee for the past decade, holds a bachelor of arts and a bachelor of law degree from Harvard. He is an able lawyer as well as a good administrator and has been exceptionally valuable to the chairman and all the other members of the Banking and Currency Committee.

Those who do not know the history of banking and who do not understand the extent to which banking institutions are regulated by both State and Federal laws, are somewhat at a loss to understand why the Congress passed an act in 1960 to exempt bank mergers from the antitrust laws. Unfortunately, the Supreme Court has asserted its legislative prerogative to overrule the act of 1960. Hence, I introduced, and the Senate passed, without a dissenting vote, a bill to limit the extent to which the antitrust laws should be applicable to future bank mergers, while giving legislative relief to the extremely harsh penalties inflicted in past decisions and which undoubtedly will be inflicted in pending cases unless the Congress asserts its authority to give relief. That bill, as originally introduced, completely exempted bank mergers from the antitrust laws and I still maintain that is the correct theory that should be applied to such cases. However, there were members of the Banking and Currency Committee and Members of the Senate who felt that with respect to future bank mergers the Department of Justice should be given an opportunity to challenge a merger under the provisions of the antitrust laws. That was the Proxmire amendment which was accepted by me in the Banking and Currency Committee and was a part of the bill that was passed by the Senate. Incidentally, an editorial in a local paper in opposition to the pending bill is quite in error in charging that the bill with the Proxmire amendment does not give the Justice Department adequate time in which to proceed in the courts to nullify a proposed merger. The Justice Department is notified as soon as a merger application is filed with any Federal agency and it has all of the time that the Federal agency has to consider every factor involved, plus an additional month. In other words, the Justice Department, under the bill now pending before the House Banking and Currency Committee, has full opportunity to challenge any new merger in the courts but if it does not act within the prescribed time it is thereafter precluded from seeking to apply antitrust laws to bank mergers.

Last week, the problems involved in the pending bank merger bill were so clearly and ably discussed before the Committee on Savings and Loan Associations of the Section of Corporation, Banking and Business Law of the American Bar Association in Miami Beach, Fla., August 11, 1965, by Matthew Hale of our committee staff that I ask unanimous consent to have printed in the RECORD at this point the text of his address.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

MERGERS OF FINANCIAL INSTITUTIONS

(Remarks of Matthew Hale, chief of staff, Senate Committee on Banking and Currency, Committee on Savings and Loan Associations of the Section of Corporation, Banking and Business Law of the American Bar Association, Miami Beach, Fla., August 11, 1965)

I appreciate the opportunity to speak before the Savings and Loan Associations Committee of the Corporation, Banking and Business Law Section. I have enjoyed the benefits of membership in the section for many years, and I trust I can contribute something in return.

I must preface my remarks by making it clear that I am not speaking for the Banking and Currency Committee or any member of it, though I must at the same time acknowledge that I am taking full advantage of what I have learned while working for the committee.

Mergers of financial institutions is a challenging topic to discuss at a meeting of the American Bar Association. The impact of the antitrust laws on a regulated industry, and the effort to reconcile the procedures and objectives of the regulatory statutes and agencies with the often conflicting procedures and objectives of the antitrust laws, have created a new and rapidly developing field of law, which has had tremendous effect already in the field of bank mergers.

The issues and the problems growing out of the application of the antitrust laws to

regulated industries affect many areas. Railroads, airlines, and pipelines and their regulatory agencies have for years tried to reconcile the two bodies of law. In 1963 the Supreme Court, in the Silver case, held that the Sherman Act applied to certain of the self-regulatory functions vested in the New York Stock Exchange under the Securities Exchange Act of 1934, and 10 days ago the SEC reported to the chairman of the Banking and Currency Committee that it was taking up with the industry the possibility of legislation to clarify the relation between the securities laws and the antitrust laws.

I should like to start by speaking about banks and bank mergers, because the most legislation and the most litigation have occurred in this part of the world of financial institutions. Then I would like to speak more particularly about savings and loan associations.

The impact of the antitrust laws on banking and bank mergers has been startling and confusing. In my judgment, the reason is simple. Ever since 1791 when the first Bank of the United States was created, banking has been regulated and controlled, in one way or another, under the money power and under standards related primarily to the money power, with consideration being given to competition because competition helps to carry out the objectives sought through the exercise of the money power. Now suddenly the Supreme Court has held the antitrust laws applicable to banking, in their most stringent form, in disregard of the intention of Congress and of the effect on the statutory regulatory scheme developed by Congress over the century and three-quarters of trial and error since 1791.

The conflict between competition and monopoly—more accurately between varying degrees of competition and monopoly—has been carried on throughout the Nation's history. Hamilton and Jefferson, Jackson and Biddle, Carter Glass and Huey Long, fought over different aspects of this issue. The second Bank of the United States—which many feared would monopolize all the banking of the United States—was succeeded by the era of free banking, under which, in many States, anyone could open his own bank and issue his own bank notes, just the way one could open and run one's own savings and loan association in Maryland in recent years, with no supervision and no security.

As might be expected, the era of free banking ended in disaster. The story is clearly told by Senator John Sherman, who in 1863 introduced the bill which created the National Bank System, who was Secretary of the Treasury under President Hayes, and who in 1890 sponsored the Sherman Antitrust Act. Senator Sherman, in his "Recollections of 40 Years in the House, Senate, and Cabinet," described the story this way:

"The issue of circulating notes by State banks had been the fruitful cause of loss, contention, and bankruptcy, not only of the banks issuing them, but of all businessmen depending upon them for financial aid. Inflation and apparent prosperity were often followed by the closing of one bank and distrust of others * * *. With a narrow view of the powers of the National Government, Congress had repeatedly refused to authorize a national bank, a policy I heartily approve, not from a doubt of the power of Congress to grant such a charter, but from the danger of intrusting so vast a power in a single corporation, with or without security. This objection did not lie against the organization of a system of national banks extending over the country."

The establishment of Senator Sherman's countrywide system of national banks, together with the revival of the State bank system, has created today's highly competitive dual banking system.

Further efforts to promote sound banking, and at the same time to preserve competition and prevent monopoly in the field of banking, resulted in the Glass-Steagall Act of 1932, which separated investment banking and commercial banking the McFadden Act of 1927, as amended in 1933, which reduced the spread of branch banking and made national bank branching conform to State banking laws, the Bank Holding Company Act of 1956, and the Bank Merger Act of 1960.

The legislative history of the Bank Merger Act of 1960 makes it clear that it was designed to promote competition and prevent monopoly. The act specifically requires the agency reviewing the proposed merger, in addition to considering banking factors, including the convenience and needs of the community to be served, to consider the effect of the transaction on competition, including any tendency toward monopoly. The agency is required to deny the merger, unless after considering all of these factors, it finds the merger in the public interest.

At the same time, it is clear that Congress has recognized the special factors applicable to banking. The Congress in 1960 specifically rejected the strict Clayton Act rule under which "good motives and even demonstrable benefits are irrelevant and afford no defense," as the Court said in the Bethlehem Steel case. The Congress in 1960 specifically ruled out the proposal that competitive factors should be controlling; instead, a balanced approach was provided, in which the public interest in the soundness and good management of the banking system—the public convenience and necessity—would be considered along with competitive factors.

The antitrust laws have an entirely different focus. They emphasize competition, full and free competition, at times to the exclusion of all other factors. The basic problem involved in the application of the antitrust laws to banking has never, I think, been more clearly and more cogently expressed than by Mr. A. A. Berle in 1949, when he warned banks of the possibility that the antitrust laws might be applied to them.

"Operations in deposit banking not only affect the commercial field, but also determine in great measure the supply of credit, the volume of money, the value of the dollar, and even, perhaps, the stability of the currency system. Within this area considerations differing from and far more powerful than mere preservation of competition may be operating under direct sanction of law. It is the theory, in ordinary commercial fields, that competition is the desirable check on price levels—the process by which the efficient are rewarded by survival, and the inefficient eliminated by failure. The price of business failures is not regarded as too high for the community to pay in view of advantages to consumers, stimulus toward greater efficiency, and freedom of enterprise. But it is doubtful (to say the least) whether any such assumption is indulged in with respect to deposit banks; certainly the theory is not there accepted to the full extent of its logic. A bank failure is a community disaster, however, wherever, and whenever it occurs. While competition may be desirable up to a point in deposit banking, there is a clear bottom limit to its desirability. So long as 90 percent of the monetary needs of the country are supplied through bank credit, deposits, and checks, under a system which contemplates many thousands of banks and also a uniform, smooth, free flow of bank checks, a high degree of cooperation among banks is essential. So long as certain kinds of banking paper are accepted as a basis for currency through the operations of the Federal Reserve rediscount, a high factor of uniformity is needed. The economic and social premises of the Sherman Act in respect of other businesses are not fully accepted by the Congress, the States, or the public as the only considerations applicable to deposit banking."

Certainly even the most enthusiastic advocate of bank competition would not advocate free entry into banking—letting anyone start a bank without first getting approval, without consideration of public convenience and necessity and without consideration of his qualifications—unrestricted branching, unlimited lending and investment powers, or unrestricted merging, subject only to the antitrust laws.

The fact is that Congress never intended the Sherman Act or the 1950 Celler-Kefauver Antimerger Act to apply to banking or to bank mergers. This does not mean, of course, that Congress has not favored competition in banking. But it does mean that Congress did not intend or expect to bring about competition or to prevent monopoly in banking, by means either of the Sherman Act or the Celler-Kefauver Antimerger Act.

The position taken by Mr. Justice Frankfurter in his dissenting opinion in the Southeastern Underwriters case in 1944—that the Sherman Act was not intended to and did not apply to insurance—is even more clearly applicable to banking, where Senator Sherman's countrywide system of independent national banks had been functioning for 25 years by the time he introduced and Congress passed the Sherman Antitrust Act. Justice Frankfurter said:

"The relations of the insurance business to national commerce and finance, I have no doubt, afford constitutional authority for appropriate regulation by Congress of the business of insurance, certainly not to a less extent than congressional regulation touching agriculture. But the opinion of the Chief Justice leaves me equally without doubt that by the enactment of the Sherman Act in 1890, Congress did not mean to disregard the then accepted conception of the constitutional basis for the regulation of the insurance business. And the evidence is overwhelming that the inapplicability of the Sherman Act, in its contemporaneous setting, to insurance transactions such as those charged by this indictment has been confirmed and not modified by congressional attitude and action in the intervening 50 years. There is no congressional warrant therefore for bringing about the far-reaching dislocations which the opinions of the Chief Justice and Mr. Justice Jackson adumbrate."

The Southeastern Underwriters decision was promptly reversed by the Congress, which passed the McCarran Act to return the regulation of insurance to the States.

In the Lexington, Kentucky, case the Court did not even discuss the question of the applicability of the Sherman Act to banking. While the Court conceded there was no predatory purpose in the merger, it did not even discuss the factors which led the Comptroller of the Currency to approve the merger on the ground that it would be in the public interest—the desirability and necessity for a bank large enough and with sufficient strength of organization to attract and hold the deposits of the larger industrial and commercial concerns coming to Lexington and the State of Kentucky as part of the modern high grade industrial development of that part of Kentucky. The Court took the position that the broad considerations for determining what constitutes unreasonable restraint spelled out in the Columbia Steel case should be confined to the special facts of that case, and held that the merger was barred merely by a finding that significant competition between the two merging banks was eliminated, on the basis of the four railroad cases which most antitrust lawyers had thought were obsolete.

The Philadelphia decision, holding that section 7 of the Clayton Act, as amended by the 1950 Celler-Kefauver antimerger amendment, applied to bank mergers, almost com-

pletely nullified the Bank Merger Act, as Mr. Justice Harlan pointed out, in his dissenting opinion in the Philadelphia case, with which Justices Stewart and Goldberg agreed.

In the course of the consideration of Senator ROBERTSON's S. 1698, the amendment to the Bank Merger Act which is now pending before the House Banking and Currency Committee, I had occasion to review the legislative history and background of the 1950 amendment to section 7 of the Clayton Act and its relation to the Bank Merger Act of 1960, and a memorandum on this subject is included in the hearings on the bill.

My study of the question left me in complete disagreement with Mr. Justice Brennan's conclusion in the Philadelphia case that section 7 of the Clayton Act applies to bank mergers. He said in the course of his opinion that "any other construction would be illogical and disrespectful of the plain congressional purpose in amending section 7, because it would create a large loophole in a statute designed to close a loophole."

Legislation is a practical, political process. What a bill does not cover is often just as important for its chances of enactment as what it does cover.

Mr. Justice Brennan further said that "there is no indication in the legislative history to the 1950 amendment of section 7 that Congress wished to confer a special dispensation upon the banking industry."

The original section 7 of the Clayton Act applied only to stock acquisitions. The House and Senate reports on the original section 7 indicated that it was intended to apply to holding companies whose primary purpose is to hold stocks of other companies. During the 1930's and 1940's it became apparent that mergers and other asset acquisitions were just as effective means of promoting monopolies and restraining competition as holding companies. Beginning in 1945 many proposals were made to cover this loophole, culminating in the 1950 Celler-Kefauver antimerger amendment.

On five different occasions during the period the antimerger amendment was under consideration, the Federal Reserve Board pointed out to the House and Senate Judiciary Committees that it would not cover bank mergers. The Board recommended on several of these occasions that the bill be amended so as to cover bank mergers, and on March 21, 1945, it submitted a revised draft of the then pending bill which would have required prior approval by the Federal Reserve Board of bank stock or asset acquisitions. When early versions of the antimerger proposal were reported by the House Judiciary Committee in 1946, they covered only asset acquisitions by corporations subject to the jurisdiction of the Federal Trade Commission. The reports pointed this out and specifically stated that the jurisdiction and regulatory powers of the Federal Reserve Board remained unchanged.

On October 12, 1950, only 2 months before the enactment of the Celler-Kefauver antimerger amendment, the Federal Reserve Board wrote to Chairman CELLER and again reminded him that the bill would not apply to bank mergers. They said: "H.R. 2734 which passed the House of Representatives on August 15, 1949, and is now pending in the Senate, would broaden section 7 of the Clayton Act so that it would also apply to acquisitions of assets—but only in the case of corporations that are subject to the jurisdiction of the Federal Trade Commission * * *. However, even with the enactment of H.R. 2734, section 7 would continue to be confined to acquisitions of capital stock insofar as banks are concerned."

Chairman CELLER, it seems, had no question that this omission was deliberate and intentional. On July 5, 1955, during the course of hearings on Chairman CELLER's bill to amend section 7 of the Clayton Act so as to cover bank mergers, Judge Barnes, then Chief of the Antitrust Division of the Department of Justice, testified in support of the bill. He pointed out that the 1950 Celler-Kefauver antimerger amendment covered only corporations subject to the jurisdiction of the Federal Trade Commission and that since the Clayton Act placed banks under the jurisdiction of the Federal Reserve Board, the amendment did not apply to banks. Judge Barnes referred in a footnote to a 1952 House Judiciary Subcommittee staff report issued by Chairman CELLER which stated that because of revisions in the amendments to section 7, "it became impracticable to include within the scope of the act, corporations other than those subject to regulation by the Federal Trade Commission. Banks, which are placed squarely within the authority of the Federal Reserve Board by section 11 of the Clayton Act, are therefore circumscribed insofar as mergers are concerned only by the old provisions of section 7."

Judge Barnes went on with his statement to Chairman CELLER: "I am sure the chairman will be interested in the notation attached as note 1, because on a previous occasion I raised a question whether or not this was an intentional omission or an inadvertent omission. I was inclined to believe it was inadvertent. Your chairman was inclined that it was not; that it had been discussed. A further examination of the history proves that you were right and my supposition was wrong, Mr. Chairman."

During most of the 10 years between the enactment of the 1950 Celler-Kefauver antimerger amendment and the Bank Merger Act of 1960, efforts were made to restrict bank mergers, either by amending section 7 to apply specifically to banks, as Chairman CELLER proposed in 1955, or to amend the Federal Deposit Insurance Act or some other banking statute so as to apply special restrictions to bank mergers, as the Federal Reserve Board had proposed in 1945. During this period, the President, the Department of Justice, and all informed members of the House and Senate urged the enactment of legislation, on the understanding that section 7 did not apply to bank mergers.

The Congress, in the course of its consideration of the Bank Merger Act of 1960, made a deliberate decision not to apply the strict provisions of section 7 of the Clayton Act to bank mergers, but instead to apply more general standards, taking into consideration both the public convenience and necessity and the competitive factors.

This decision was clearly expressed just before the bill passed the Senate in 1960, after the Senate accepted the House amendments, in the following remarks:

"This bill establishes uniform and clear standards, including both banking and competitive factors, for the consideration of proposed bank mergers. It eliminates a number of gaps in the statutory framework, which now permit many bank mergers to occur with no review by any Federal agency. It provides for a thorough review by the appropriate Federal bank supervisory agency, under these comprehensive standards, and with the benefit of any information which may be supplied by the Department of Justice in the report required from them, of the bank mergers by asset acquisitions and other means which are now and will continue to be exempt from the antimerger provisions of section 7 of the Clayton Antitrust Act."

There are many reasons why it is appropriate for mergers of financial institutions to be handled by special legislation under special standards designed for them, rather than by the usual antitrust standards applicable to ordinary commercial and industrial enterprises.

The importance of banks, and this is true of savings and loan associations also, to the Nation's money supply and economic welfare generally has made it necessary for the Government to regulate banks and savings and loan associations and has made it necessary for the Government to underwrite the solvency of the bank system and the savings and loan system through the Federal Deposit Insurance Corporation and the Federal Savings and Loan Insurance Corporation. As Mr. Berle said, "a bank failure is a community disaster, however, wherever, and whenever it occurs."

The same is true of failures of savings and loan associations. The few recent bank and savings and loan association failures, the effects of which were minimized by FDIC and FSLIC insurance, remind us of the tragic results to depositors, and also to the Nation's business and commerce, of the wholesale bank and savings and loan failures of the early 1930's. The need for Government regulation of financial institutions demonstrates the importance of these institutions to the Nation. Government regulation to achieve these national purposes is vital to the Nation and may in many respects outweigh the importance of antitrust objectives, if at any given point the regulatory objectives and the antitrust objectives conflict.

Bank regulation has always called for a high degree of competition in the field of banking and other financial institutions, long before antitrust objectives were spelled out in the antitrust laws. Senator Sherman's countrywide system of independent national banks, and the thousands of State banks, which together make up the dual banking system—some 5,000 National banks and some 9,000 State banks—present a very different situation from the big concentrated nationwide industries which the antitrust laws were primarily designed to handle. In the industrial and commercial world there is a real and present danger of nationwide monopoly. The big oil, tobacco, steel, and aluminum firms could take over the entire production and distribution systems in their fields. They could control or own 100 percent of the industry, and when one concern gets 30, 40, or 50 percent control of the industry's facilities, the danger of monopoly is evident. But under the dual banking system, with its thousands of banks divided into 50 different State systems, even the biggest bank held less than 5 percent of the Nation's deposits on June 30, 1965. While there is much banking by mail, and while the biggest banks make loans outside their States and receive deposits from outside their States, their branches must be confined to their home States, and in most cases to their home cities or counties or some other more limited area.

Thirty-five different banks in 14 different cities have deposits of more than $1 billion each. There is a great deal of competition among them and among many of the other big banks for business from the big nationwide industrial concerns. In view of the ease of banking by mail or by telephone, this competition is real and significant.

The danger of local monopoly is in fact greater, though even in the smallest locality the ease of banking by mail or by automobile or telephone is such that competition from other towns and cities can be substantial.

In addition, there is a great deal of competition between one kind of financial institution and another. Banks and savings and loan associations compete for the Nation's savings, and insurance companies, mutual funds, and credit unions join in the competition. Banks and savings and loan associations compete for the opportunity to make mortgage loans on residential and on commercial property, and insurance companies and mortgage bankers join in this competition, too.

It is clear from the legislative history of the Bank Merger Act that Congress wanted to give consideration to local competition.

regional competition, and national or international competition, and to competition from savings and loan associations, credit unions, insurance companies, finance companies and the like. In other words, Congress was concerned about the realities of competition, to the lenders and borrowers involved, and to the sum total of these factors, not just to any single factor. In addition, Congress made it clear that consideration should be given to the need for accommodation of the growing capital requirements of an expanding economy, in the community, in the area, and in the country generally. These considerations—the public convenience and necessity and the over-all effects on competition in the broadest sense—were the fators which Congress wished to consider. Congress specifically rejected the Clayton Act test for bank mergers—whether a merger might tend to substantially lessen competition in any one line of commerce in any one section of the country.

Congress wanted to control bank mergers. It wanted to prevent those which were not in the public interest and to permit those which were in the public interest. Accordingly, the benefits of the Bank Merger Act depend on the individual mergers approved, denied, and abandoned without formal application. While aggregate numbers are therefore not conclusive, it is appropriate to note that 180 mergers took place in each of the 5 calendar years before enactment of the Bank Merger Act, and the average for the 5 years beginning with the enactment of that act fell to 153. It also seems appropriate to contrast the number of bank mergers with the FTC report that 1,797 mergers occurred in 1964, most of which were without benefit of any premerger notification to the Government or any premerger governmental review or approval.

We are faced with a strange situation. A banking agency—the Comptroller of the Currency, for example—exercising a power vested in him by the Congress under the Bank Merger Act, after obtaining comments from the other banking agencies and the Department of Justice, may approve a proposed merger on the ground that it is in the public interest—that it will benefit the public. The Department of Justice can then sue under the antitrust acts, either before the merger is consummated or apparently at any time in the next 10 or 20 years, and attempt to divide the merged bank into two separate banks, presumably restoring the status quo, however impossible this may be as a matter of practical fact.

Congress did not intend this. Congress did not expect this. It is the result of what I think is an incorrect and unsupportable interpretation of the 1950 Celler-Kefauver antimerger amendment and the Sherman Act. One may hope that after careful and informed reconsideration, the Supreme Court may reverse itself, as it has so many times in the past.

Such a conclusion would, incidentally, follow that reached by Carl Kaysen and Donald F. Turner, now Assistant Attorney General in charge of the Antitrust Division, in their 1959 book, entitled "Antitrust Policy: An Economic and Legal Analysis." In this book, Messrs. Kaysen and Turner list commercial banking as part of the exempt sector:

"By exempt sector we mean that part of the economy to which antitrust policy does not apply because of legislative exemptions, expressed or implicit. To be sure, this exemption is not complete and in some cases the legislation exempting an industry contains its own antimonopoly provisions.* * * The objectives of antitrust policy are either subordinated to other policy goals or sought through direct regulation."

And in a table showing the character of the regulation of these exempt industries, Messrs. Kaysen and Turner give the following information about commercial banking:

"Federal Reserve controls general level of interest rates and availability of credit. Federal and State authorities control bank operations through entry controls and examinations. Limitation of competition is considered by regulation authorities as necessary to stability of banking systems."

Senator ROBERTSON's bill, S. 1698, as he introduced it, was designed to restore the situation as it was understood to be when the Bank Merger Act of 1960 was passed—in other words it would have restored the Bank Merger Act as the controlling statute with respect to bank mergers. It would have exempted all bank mergers from the Clayton Act, which was not intended to apply to bank mergers, and from the Sherman Act, which was understood up to the *Lexington, Kentucky,* case to have no significance with respect to bank mergers. This bill was strongly supported at the hearings held before the Banking and Currency Committee in May. However, when it became evident that there might be protracted discussion of this bill, Senator ROBERTSON, in order to get quick action on the parts of the bill for which there seemed to be unanimous support in the committee and among the witnesses, accepted and supported an amendment proposed by Senator PROXMIRE based upon a suggestion by the Federal Reserve Board. As amended, the bill would no longer constitute a general exception for bank mergers from the antitrust laws. Instead, it would be a bill to eliminate the necessity of unscrambling bank mergers. It would postpone for 30 days the consummation of bank mergers approved in the future, to give the Justice Department an opportunity to contest such future mergers. If such a suit were started, the merger could not be consummated until the conclusion of the suit. If no such suit should be started within 30 days, or if the Justice Department should be unsuccessful in its suit, the merger could then be consummated and the Justice Department could not thereafter attack it. And, consistent with the new objective of eliminating the unscrambling of bank mergers which had already been consummated, the bill would have exempted from the antitrust laws all mergers consummated up to the date of enactment.

This amendment was unanimously accepted by the Banking and Currency Committee, and after the defeat of an amendment to prevent the exemption from the antitrust laws from applying to the cases pending in court, it was passed by the Senate without opposition. It is now pending before the House Banking and Currency Committee, and hearings on it are beginning today.

Turning more particularly to savings and loan association mergers, it is appropriate to start by saying that Congress has not specifically considered this matter and no statutes specifically cover it. The Federal Home Loan Bank Board, however, has had a regulation in force since 1935, requiring approval of a merger of an insured savings and loan association.

Until recently, savings and loan mergers did not create any problems under the antitrust laws. An industry whose total assets were small, made up of small, local, mutual associations, where mergers were unusual in any event, simply did not raise antitrust issues.

In the 20 years since World War II, however, the problem has become increasingly significant. During this period the industry's savings accounts have increased from $7.5 billion to well over $100 billion. Though the number of savings and loan associations has not increased appreciably in the past 20 years, individual associations have grown tremendously in size and in number of branches. Furthermore, the increase in stock savings and loan associations has been of considerable importance. The number of mergers proposed rose to 40 during 1964, a substantial increase from previous years.

The application of the antitrust laws to savings and loan associations is somewhat different from the application of the antitrust laws to banking. The $100 billion of savings in savings and loan associations is not generally considered part of the money supply as are demand deposits. But I think economists are coming to see an increasingly close relation between savings—called quasi-money—and the demand deposits and currency—classed as money. Savings and loan associations do not have as long a history of Federal regulation and control, but these Federal controls are becoming more and more similar. Savings and loan associations do not have the same claim for exemption from the 1950 Celler-Kefauver Antimerger Act, but as the Supreme Court has held that this exemption is no longer valid, this difference is no longer of any practical effect.

The similarities between banking and savings and loan associations are, in my judgment, greater than the differences. The degree of regulation, as I have said, is growing closer and closer. Both systems are backed up by federally sponsored insurance. Both systems are inextricably enmeshed in our economic system. And most important from an antitrust point of view, both banks and savings and loan associations are based on dual Federal-State systems, with 51 different sets of local organizations, no one of which can have branches outside its home State, and no one of which can get a nationwide monopoly.

Since February 19, 1965, the Federal Home Loan Bank Board has required applicants for mergers to submit considerable information as to their loans, their savings, and the market structure of the areas. This includes a map showing all savings and loan associations, savings banks, and commercial banks within 10 miles of the offices of the merging associations, a list of all financial institutions in the county and in the standard metropolitan statistical area where their home offices are situated, and the assets, savings accounts, and mortgage loans of the savings and loan associations and mutual savings banks, and the assets and savings accounts of each commercial bank within the same areas.

It would seem that with this information the Board would be in a good position to judge the effect of the merger on the competitive situation in the area principally affected. However, in some cases the competitive situation might be affected by competition for savings from organizations outside the 10-mile limit or the appropriate county or standard metropolitan statistical area. There might also be substantial competition for available mortgages from outside financial institutions, including such financial institutions as insurance companies. It might also be that in some cases the mortgage loan information for other institutions should be broken down into more detail in order to reflect competitive factors accurately.

The Federal Home Loan Bank Board is, from my knowledge of its members and its staff, firmly convinced of the benefits of sound and strong competition among savings and loan associations. And they are equally convinced of the desirability of sound and strong competition between savings and loan associations and all competing financial institutions—commercial banks, savings banks, mortgage banks, insurance companies, credit unions, and any other competitors there may be for savings or for loans.

Most of the proposed mergers which come before the Board will undoubtedly not involve any danger of monopoly or any tendency toward it or any danger of loss of competition or lessening of competition. And it may be expected that many of them will

improve and strengthen competition by enlarging the resources and improving the services of institutions previously too small to provide the fullest or most satisfactory service.

There would seem to be every reason to expect that the Board, mindful as it is of the need for competition among savings and loan associations and between savings and loan associations and other financial institutions, and mindful of the decisions of the Supreme Court in the field, will be able to prevent any conflict from arising between its approvals of savings and loan association mergers and the antitrust laws.

At the same time, however, we must recall that this entire field is a new one. The Supreme Court has surprised us already, and they may well do so again. And it seems more than likely that Congress will feel it necessary to review the whole question of the relation of the antitrust laws to regulated industries.

U.S. CAPITULATION AT UNITED NATIONS

Mr. MUNDT. Mr. President, many Members of the Senate will recall serving in this body with William F. Knowland, of California, who was our dynamic and forceful leader at the time he decided to resign from the Senate to run for Governor of his home State.

As editor and publisher of the Oakland Tribune, of Oakland, Calif., our friend Bill Knowland continues to maintain an alert and aggressive interest in both national and world affairs. He continues to serve, also, as one of the respected and effective leaders of his party out in California. Most important of all, his powerful voice and persuasive pen continue to project the viewpoint of soundness and sanity on public questions.

In a recent issue of the Oakland Tribune, Bill Knowland once again evidences his capacity to cut through to the heart of an issue and to speak out for sound decisions and good government. In this editorial, our former colleague devotes himself to the reports now drifting down from New York City that our new Ambassador to the United Nations, Mr. Goldberg, is beginning his career as our representative to this international institution by surrendering a long-held American position with regard to the sound and continuing financing of the United Nations. It is indeed regrettable that Arthur Goldberg will begin his responsibilities of advancing American ideals and interests at the U.N. by capitulating our American position in the first controversy in which he appears as our American advocate.

If America now backs down from a position which we have so long and faithfully supported, I am afraid that loss of face and this action of appeasement will return many times to weaken our already diluted influence in the United Nations. Too many more persistent countries in the world will redouble their determination to wear us down or to stall us out as they interpret this surrender on the vital item of financing the peace-keeping operations of the United Nations as meaning that our will is weak, our resolve is uncertain, and our protestations of earnestness can be erroded and defeated by the passage of time and the plaintive complaints of certain other member countries.

For the information of the country and the Congress, I ask unanimous consent that this editorial by Bill Knowland, entitled "U.S. Capitulation at U.N.," may be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

U.S. CAPITULATION AT U.N.

The reported upcoming shift in policy by the United States to give up its long fight to get the Soviet Union to pay its fair share of United Nations peace-keeping operations signals another setback for the world organization.

The Soviets, their allies, and several other countries have refused to contribute to peace-keeping operations in the Congo and the Middle East. The sum charged to the Russians is $72,236,000 of which $21.6 million would be for this year.

Other countries that have refused to pay their share of the peace-keeping operations are Czechoslovakia, Byelorussia and the Ukraine (two Russian republic with Assembly seats), Rumania, Poland, Cuba, Hungary, Albania, France, and South Africa.

The switch in U.S. policy, expected to be announced Monday by new Ambassador Arthur Goldberg, would be a clear-cut victory for the U.S.S.R. and those nations that followed her lead. The Russians refuse to pay their share on the grounds that only the Security Council can authorize peacemaking operations. The United States and most other U.N. members argue that the General Assembly can act when the Security Council is unable to do so because of vetoes.

If the Russians are allowed to win their point, it will mean that in the future U.N. peacemaking operations will be virtually impossible unless Russia and the United States agree on them. Any agreement between the two countries would be highly improbable if Communist forces were the aggressors as they are, for example, in Vietnam.

The Soviets would also score a prestigious coup if allowed to make their point since they have offered to make a voluntary contribution to help the U.N. out of its financial crisis (which the Russians helped bring on).

Since the reported switch in policy has not been formally announced, it is not too late for the Johnson administration to change its mind. It is the Tribune's position that the Soviet Union, and the other member nations in arrears over the peace-keeping question, should either live up to article 19 of the U.N. Charter or forfeit their voting rights in the General Assembly as provided by the charter.

All members of the United Nations agreed to the charter when they signed it. They should not be permitted to break their agreements when the whim strikes them.

The United States should reconsider its plans for capitulation.

THE OUTBURST OF ANGUISH IN LOS ANGELES

Mr. MONDALE. Mr. President, like Americans all across our land, I have been appalled by the frightening events that have taken place in Los Angeles the last several days.

It is hard to believe what we have been seeing on television and reading about in the newspapers.

It is hard to believe that this has been happening in America. But it has.

No one can excuse what has happened in Los Angeles. But we can try to understand why it happened.

For no one can say that we were not warned. We have been warned time and time again that these slums, these ghettoes, were breeding "social dynamite."

Two months ago, President Johnson spoke out on the dangers in the "breakdown of the Negro family structure" in so many parts of the country. And Negro writers and leaders have told us time after time that our deepest, most intransigent Negro problem is the slums of our great cities.

Now we have seen the "social dynamite" blow up. It took only a small spark to ignite it—the arrest of a motorist on suspicion of drunken driving. But the explosion has been seen and heard all over the world.

When such a disaster occurs, the most important immediate need is to bring it to an end, to restore order. For under no circumstances can we condone such willful destructiveness, such total defiance of law and order. We must support the city of Los Angeles in all its efforts to restore order.

But restoring order is only a temporary answer. If we put down the violence while ignoring the conditions which breed violence, then our action today will be but a prelude to greater disasters tomorrow. We must go further, we must attack the seeds of poverty and discrimination which cause such tragedies, if we are not to reap a further harvest of bitterness and shame for America.

Through our poverty program, through the new Department of Housing and Urban Development, through coordinated efforts by Federal, State, and local governments, we must make a determined assault on these conditions.

At the same time, Negro leaders must bend every effort to make the Negro slum residents understand that violence leads only to more violence, that mob action works against his interests and the interests of Negroes everywhere.

And we must not allow those who are opposed to improving the lot of the Negro to exploit this terrible tragedy for their own ends. Already there are those who blame these slum explosions on the work of the civil rights movement and the President and the Congress, for their efforts to assure true equality for all Americans.

This is demogoguery. The only thing we can blame on the civil rights movement is the act of making America—white and black—aware of the plight of the American Negro. Thus to blame the civil rights movement for what happened in Los Angeles is like blaming the man who turns in a fire alarm for setting the fire. And while this new awareness of injustice may tend to increase the dissatisfaction and resentment of the downtrodden slum Negro, who among us can say we would not feel the same were we forced to live in such an environment while the rest of the Nation seemed to live in comfortable indifference.

I must emphasize again that I say this not in defense of what occurred in Los Angeles, but so that we might understand it—and in order to understand why a Negro slum resident suddenly lashes out

in irrational rage and hatred, we must put ourselves in his shoes.

The truth is not that we have done too much. Rather, we have not done enough. It is not that we have gone too fast, but that we have moved too slowly in attacking the poverty and discrimination which are responsible for such explosions.

For as Mr. Tom Wicker noted in a magnificent article in the New York Times today:

> The weekend rioting (in Los Angeles) was a terrible reminder that in the century since emancipation we have only substituted misery and hopelessness and hatred for the bondsman's chains.

This year we passed a law which I hope will give virtually every Negro the opportunity to vote. We are rightly proud of this act, and of the years of nonviolent Negro protest which made its enactment possible. But it is not enough.

The Negro of Los Angeles could already vote. But what good is this if he is born in a broken home, crowded into a filthy slum, sent to an inferior school which is but a reflection of the unhappy community where he is forced to live? What good is it to have rights if one grows up in such squalor, and nourishes such a deep and terrible bitterness against the "white man" who made things this way?

As President Johnson said in his speech at Howard University 2 months ago, "White America must accept responsibility" for these conditions. And even today, when we talk about how much we have already accomplished, we must ask ourselves how many Negroes who want to leave the slums, who have the money and the will to do so, have run into a wall of racial discrimination, a "white noose" surrounding their Negro ghettos which bars their escape.

This is our responsibility, and we must face it.

We cannot point to the Civil Rights Act of 1964 and the Voting Rights Act of 1965 and feel that we have done the job. For as the President noted, passage of these two measures "is not the end. It is not even the beginning of the end. But it is, perhaps, the end of the beginning."

That beginning is freedom—

The President said—

> and the barriers to that freedom are tumbling down. But freedom is not enough. You do not wipe away the scars of centuries by saying: Now you are free to go where you want, or do as you desire, and choose the leaders you please. You do not take a person who, for years, has been hobbled by chains and liberate him, bring him up to the starting line of a race and then say, "you are free to compete with all the others," and still justly believe that you have been completely fair.

In short, Mr. President, we must do more—we must as the President phrased it:

> Help the American Negro fulfill the rights which, after the long time of injustice, he is about to secure; to move beyond opportunity to achievement; to shatter forever not only the barriers of law and public practice, but the walls which bound the condition of man by the color of his skin; to dissolve, as best we can, the antique enmities of the heart which diminish the holder, divide the great democracy, and do wrong—great wrong—to the children of God.

And we must begin by breaking the chains of poverty which bind most of the Negro community in America—the poverty which shuts them in slums, which cripples their capacities and which prevents them from acquiring the training and skills needed to participate in American life.

And the only way of achieving this goal is, to borrow Mr. Wicker's words again, "by social and economic processes of agonizing slowness, uncertain efficacy, limited popularity—processes like the war on poverty that are in any case subject to all the pettiness and blindness of human nature."

We do not claim that the poverty program is perfect, Mr. President. But as Franklin Delano Roosevelt said:

> Governments can err, Presidents do make mistakes, but the immortal Dante tells us that divine justice weighs the sins of the cold blooded and the sins of the warm hearted on a different scale. Better the occasional faults of a government living in the spirit of charity than the consistent mission of a government frozen in the ice of its own indifference.

I submit, Mr. President, that the war on poverty may well be even more important in freeing the American Negro than the Emancipation Proclamation, the Civil Rights Act of 1964, and the Voting Rights Act of 1965. It will certainly be more difficult, for the barrier of poverty is not only more difficult to see; it costs more to break than did the legal barriers which we have struggled so long to eliminate.

We are moving to the new phase of the struggle for equality in America, from fighting for legal rights to emphasizing the conditions which prevent men from exercising these rights.

The poverty program has brought new hope to thousands of young people from slum areas—Negro and white—by giving them a chance to learn the skills necessary to make good in today's America. It is based on the concept of "community action," on the need to organize the people of an impoverished area and encourage them to take the lead in the solution of their problems.

We cannot claim that this is a perfect program. There is much we have yet to learn about the best way of giving deprived human beings a real chance. And the present poverty program is probably not big enough to do the whole job. But it is a start.

Mr. President, today the Congress will vote on the question of whether or not to continue and expand this vital program. We must vote "yes."

This must be our answer to Los Angeles. We cannot respond to this outburst of anguish by continuing the old ways of discrimination and deprivation which brought it about. Instead we must attack the tragedy at its roots. We must, by our action in the Senate, try to open the doors of hope for these people, so that they may enter into the richness that America is and can be. And in so doing, we will refuse the time bombs which are ticking away in the slums of our cities.

Mr. President, I ask unanimous consent that an editorial and a magnificent article by Tom Wicker, both appearing in the New York Times of today, be printed in the RECORD.

There being no objection, the editorial and article were ordered to be printed in the RECORD, as follows:

ORGY OF HATE

The lunatic fury that has spread death and pillage through Los Angeles is being put down in the only way that it can be—through the swift and inexorable application of police power. Whenever a mob rises to terrorize the community, the response must be both immediate and uncompromising. The certainty that the resources of the city law-enforcement agencies will be supplemented, to the maximum necessary extent, by the armed might of the State and Federal Governments is essential if hoodlumism is not to extend into anarchy and the mass victimization of the law abiding.

The second and vastly more complicated part of the task of riot control now confronts Los Angeles and every other large city in which fetid racial ghettos breed the frustrations that erupt in violence, bloodshed, and looting. This assignment involves the eradication of the poverty, the undereducation, the rootlessness, and the despair that grip those whom life has defeated or who never even sought to break out of the bleakness into which they were born. President Johnson has once again summoned the Nation to war on these ingrained evils. Their conquest will be slow, but the national commitment to victory is as absolute as its resolve not to temporize with mob excesses. The ultimate disarmament of the slums will come with the triumph of hope and opportunity for all Americans.

THE OTHER NATION: NO PLACE TO HIDE FROM IT

(By Tom Wicker)

WASHINGTON, August 16.—Last June, in one of the great Presidential speeches of our time, Lyndon Johnson told the Howard University graduating class that their hard work and good fortune had only made them a minority within a minority. There was a "grimmer story," he said, that had to be told.

The "great majority of American Negroes," he said, had been and still were "another nation: deprived of freedom, crippled by hatred, the doors of opportunity closed to hope."

AGAINST ESTABLISHED ORDER

It was that other nation that rose up last weekend in Los Angeles and brutally smashed all that it could find of the established order. And it is that other nation, sullen, brooding, explosive, that America in its faith and in its works must now try to recover, to understand, to assist, and thus to obliterate.

The world may be crying out, as Rev. Billy Graham insisted on Sunday, for "salvation" from lawlessness and from a racial situation that is "out of hand"; something may be, as he predicted, "about to give." If so, then let us take our text from Mrs. Willie Mae Colston, a Negro who lives in the Los Angeles riot areas. When the distraught Gov. Pat Brown asked her what should be done, she replied:

"You know the song that says 'Where can we go but to the Lord' or something like that? Well, we have no place to hide."

TERRIBLE REMINDER

There is, indeed, no place to hide from the other nation, particularly in the idea that there is some "salvation" from it. The other nation is there. It will not go away. It is not confined to the South or to the Watts district or to Harlem—it is all around us.

And the weekend rioting was a terrible reminder that in the century since emancipation we have only substituted misery and hopelessness and hatred for the bondman's chains.

The problem is that, having created the other nation, the white man cannot live with it—as the riots also indicate—except by harsh repression and force. That is the way of South Africa, not of the land of the free and the home of the brave. But the white man can obliterate the other nation and make this one America only by social and economic processes of agonizing slowness, uncertain efficacy, limited popularity—processes like the "war on poverty" that are in any case subject to all the pettiness and blindness of human nature.

It is easier to cry out for salvation or to demand that the cops and the courts get tough. It is easier to urge Roy Wilkins and Martin Luther King to discipline their people. It is easier to lump Negroes together as lawless brutes who have done nothing to deserve the good life in affluent America.

IDEA AT STAKE

But what is really at stake is not just the fortunes of 20 million black Americans, or the protection of property, or the maintenance of some tenuous racial peace, important as those things are. What is at stake is the ability of the American idea, expressed in thousands of legal, social, political and economic institutions, to function.

There is probably a connection, for instance, between the demonstrations in front of the Capitol last week and the Los Angeles riots. The demonstrations were not violent but "nonviolent"; they were not talking about Negroes but about Vietnam; and their grievances—as disclosed by their slogans and oratory—were more imaginary than real. Nevertheless, they were like the men of Watts in that they did not rely upon or trust or respect the established processes of politics and law.

That is the meaning of the thunder out of Los Angeles. The institutions and processes of American society have not made the Negro free but have created the other nation. That "American failure," as President Johnson called it, has created a widening current of mistrust and despair and defiance that is corroding the idea of liberty and justice for all, and the confidence in "due process of law" which alone can make people wait on, much less abide by, that process.

TO END THE WRONG

"It is the glorious opportunity of this generation to end the one huge wrong of the American Nation," President Johnson said at Howard, pledging himself to the task. What he intends to do may be less important than the intention, for probably not since the bank holiday in 1933 has the established order in America been more drastically challenged; and now as then much of that order has to be changed if we are to preserve the rest.

CURRENT ACTIVITIES AND PLANS OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS IN THE FIELD OF INTERNATIONAL COOPERATION

Mr. MOSS. Mr. President, David O. McKay, president of the Church of Jesus Christ of Latter-day Saints has submitted a report to the National Citizens' Commission on International Cooperation detailing the current activities and future plans of the church in the field of international cooperation. The report is self explanatory and I ask unanimous consent that it be printed in the RECORD at this point.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

A REPORT TO THE NATIONAL CITIZENS' COMMISSION ON INTERNATIONAL COOPERATION: CURRENT ACTIVITIES AND FUTURE PLANS OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS INVOLVING INTERNATIONAL COOPERATION

As set forth in our statement, "Some Desirable Objectives To Be Sought in International Cooperation," submitted to the commission with copies to President Johnson, Secretary Rusk, and other officials under date of May 14, 1965, we believe the serious need of our times is to preach the gospel to the nations of the earth. The injunction of the Master set forth in the Gospel of St. Matthew, must strike the intelligent mind with force: "Go ye therefore, and teach all nations, baptizing them in the name of the Father, and of the Son, and of the Holy Ghost: teaching them to observe all things whatsoever I have commanded you: and lo, I am with you alway even unto the end of the world."

This solemn injunction, in the context of the Scripture which also states, "All power is given unto me in heaven and in earth," is needed to sustain men's hearts and minds in these times.

Our future plans are identified with the foregoing objectives. The current activities of the church are representative of our historic efforts to meet this responsibility.

During 1965, the church is maintaining 51 missions in 27 nations beyond the jurisdiction of the United States of America. In foreign countries 7,702, and in the United States 3,963 (total 11,665) young men and young women, largely from the United States, spend 2 years or more of their lives in the missions. They are generally about 20 years of age, and have often completed 1 or 2 years of college. They normally return to continue their college educations upon the satisfactory completion of their missions. These young men and young women, and their families, voluntarily contribute for their maintenance in this service approximately $14 million each year.

As rapidly as rights of conscience, ownership of property, the privilege of printing and circulating literature become available to us abroad, we attempt to establish these helpful missionary operations. In every instance, since 1830, they have tended to elevate the condition of the people served, broaden their educational and cultural outlook, and enhance their material prosperity.

The young men and women who have returned to the United States from such service for more than 125 years, have brought with them language and other cultural skills, precious understandings of other peoples, fresh faith and appreciation for the gospel and the blessings of liberty.

The church, from its own revenues, expends approximately $30 million on its international activities annually. The bulk of this annual expenditure budget goes for construction of educational and religious buildings, hospitals, and for educational and missionary service. Most of our hospitals at the present time are in North America.

While the church has had a long history of providing educational institutions and services in New Zealand and Polynesia, as for example our elementary schools in Tonga, Samoa, and French-Polynesia, recent examples of our service to the peoples of the Pacific are exemplified by the new Church College of Hawaii and the Church College of New Zealand (a training ground for all the peoples of the Pacific in leadership and education), and in the new Polynesian center we have also established on the island of Oahu, also in the State of Hawaii.

At the present time, our foreign missionary activity in Asia is generally restricted to missions in Korea, Japan, Hong Kong, and the Philippine Islands. From time to time, we have looked hopefully toward India and other parts of the great continent of Asia. In all such cases, we look with humility and with the spirit of service, hoping to make friends for the gospel's and mankind's sake.

The Gospel of Jesus Christ, properly understood, we believe, embraces all truth, provides sound bases in human understanding for the ultimate reconciliation of human and cultural differences, while preserving individuality, nationality, and freedom of group identity. In our Father's house are many mansions. We are mindful that our Lord and Master, himself, was born, lived, and fulfilled his earthly mission in the "fertile crescent" which functions as a significant land bridge between the great continents of Europe, Africa, and Asia. Certain common bonds which underlie Christendom, Islam, and Judaism, properly understood and examined, we feel, can be extended and broadened to assist mankind in acquiring a more tolerant attitude. The revelation inherent in His declaration, "I am the way, the truth, and the life" can yet dawn in greater degree upon suffering mankind, we hope and pray, through the extension of religious liberty, and with it, peace and freedom. We must never cease to proclaim His message as Prince of Peace, of peace on earth, good will toward men—to all men everywhere.

We pray for the day when international cooperation will have reached the point that this message, voluntarily offered, may be available for the voluntary acceptance of any who desire it in honesty of heart.

Mr. MOSS. Mr. President, a Mormon, especially one living in Utah, is thoroughly aware of the international contacts of the church. Our young men and women are in every sector of the globe. They live with the people of all lands, trying always to enlighten, to uplift, to teach. They give of themselves in love and devotion. They return with insight and respect. Could these contacts be multiplied to all nations in sufficient numbers to reach all peoples I am certain that world peace would be maintained and human well-being be advanced.

PROJECT HEAD START SUCCESS IN RAPID CITY, S. DAK.

Mr. McGOVERN. Mr. President, today as the Senate is considering legislation to expand the war on poverty and enhance the effectiveness of programs under the Economic Opportunity Act of 1964, I have just finished reading an excellent article describing the success of the Project Head Start program in Rapid City, S. Dak.

Project Head Start provides financial support of communities to organize and operate preschool programs which create an environment to help young children develop to their full potential.

Twenty-five Project Head Start centers have been operated this summer in 10 counties in my State of South Dakota.

Mrs. Orylle Jarchow, director of the program for Rapid City, which comes to a conclusion today, has described it as "the most challenging project and the most exciting thing in which we ever have been involved."

Mr. President, I am delighted that Project Head Start has been such a fine success in South Dakota and ask unanimous consent that the article from the

Rapid City Journal of August 11, describing the Rapid City program, may be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HEAD START PROGRAM CALLED CHALLENGING AND EXCITING

"The most challenging project and the most exciting thing in which we ever have been involved," was the description Mrs. Orylle Jarchow used in describing Operation Head Start for the Rapid City Board of Education Tuesday.

Mrs. Jarchow, director of the program for Rapid City, and Mrs. Rose Myhren, staff nurse, reported to the board in detail on operations of the 8-week summer program which will be concluded August 17.

She explained there are 120 children enrolled including more than 70 Indian youngsters, 6 or 7 Negro children, 2 or 3 Mexican children and the remainder are Caucasians.

Bus transportation has been arranged for the majority of the youngsters, 4- and 5-year-olds, who come from all parts of the city and Ellsworth AFB and Ashland Addition, east of the city.

Mrs. Jarchow explained the program was begun under the guidance of the mayor's committee and the Rapid City schools. Potential pupils were recommended by principals of schools on the city's north side, by the community service and Mother Butler centers and public health and welfare authorities.

While the staff of eight classroom teachers, Mrs. Jarchow and Mrs. Myhren were being trained in Laramie, Wyo., local volunteers from the AAUW, the PTA's, teachers and interested parents contacted parents of children who might be eligible for the program.

On their return to Rapid City, Mrs. Jarchow said, teachers personally contacted parents and explained bus routes and programs which would be available.

The health program was explained to parents by Mrs. Myhren in home visits and in coffee hours at the school.

Mrs. Jarchow said the program being conducted in General Beadle School, had five distinct and major objectives.

The first, to improve the physical and emotional health of the pupil, was reviewed for the board by Mrs. Myhren. She said each of the youngsters was given a physical examination in a pediatrician's office, accompanied by one or both of his parents. In this way there was a free exchange of vital information.

Each child was given a dental checkup, again in the company of his parents. Parents were made aware of the importance of proper nutrition and dental hygiene and checkups in the overall health of the child.

Mrs. Myhren said local optometrists also examined the youngsters and immunization clinics were held for the pupils. The D'Aimes Club provide students with toothbrushes and paste and classroom demonstrations were held.

Blood disorders were pinpointed, hearing problems were noted, several speech problems were uncovered along with infected tonsils and orthopedic problems, Mrs. Myhren said.

She said that 1 child was discovered with 7 abcessed teeth and only 4 youngsters of the 123 examined were without any dental problems. Youngsters with immediate problems are being referred to welfare and social agencies and service clubs for aid. Others will be worked into the school's programs this fall.

Mrs. Myhren praised the work of the county public health nurses in the area of immunization clinics which had been held prior to Head Start.

She said the hardest part of the program has been compiling the required records, three for each child, each filled out in triplicate. The forms note medical histories of the individual, prior to the program, a complete medical history during Head Start, and a complete family history.

To qualify for the program, the child's parents had to have a total income of less than $2,000 a year or be on public welfare rolls. In spite of this, Mrs. Myhren noted a number of parents are making appointments for their children with doctors, optometrists and dentists since they became aware of the importance of health to the child's success in school.

Superintendent Paul Stevens indicated the school, as sponsor of the program, would attempt to compile a complete followup on the health aspects of the program. Under the original request, made by the city schools for program funds, there was a provision for followup medical care for the students. This portion of the request was denied.

Mrs. Jarchow summed up the other objectives as:

To orient the child to school life and personnel, including drills in lining up, obeying the instructor, respect for the flag.

Expanding mental growth and language development through a variety of study and play techniques.

Developing the child's social life, increasing his sense of security through establishing routines.

Establishing good rapport between the home and school. The last was accomplished by inviting the parents to school, to participate in classroom work and in outings and to invite the interest of the community at large in Head Start.

The director quoted an evaluator for the program, who travels seven States, as saying Rapid City's program was the best organized and had the best equipment of any in his jurisdiction, for which she thanked the administration and the board.

She concluded by inviting board members to the assembly on Friday in which students will demonstrate their newly acquired skills.

In a summary to the board, Superintendent Stevens said it appeared that on the basis of budget figures per pupil cost of the 8-week program will be only $135.87, including all health services, transportation costs, cafeteria costs, and the classroom and operations costs. These are Federal funds with the school district participating to the extent of the physical facilities.

THE RETIREMENT FROM GOVERNMENT SERVICE OF EUGENE MARTIN ZUCKERT

Mr. MOSS. Mr. President, it is with sincere mixed feelings that I rise to comment briefly regarding the loss to the U.S. Government of one of our most dedicated Cabinet officers.

In a few short days, on September 1, Eugene Martin Zuckert will leave his post as Secretary of the Air Force. He could not have chosen a better, or a less desirable time.

The Air Force has made remarkable progress in the last 4 years under the guidance of Secretary Zuckert. Through his efforts, the Air Force has continued to lead in the space field. The Air Force now mans almost 1,000 intercontinental ballistic missiles, which provide our primary defense system. In addition, the highly capable Strategic Air Command is feared and respected by our enemies and the Tactical Air Command now stands ready to airlift thousands of troops and their equipment to faraway places at a moment's notice. The Air Force in general has undergone many minor revolutions during the 4 years of Secretary Zuckert's administration. Interservice units have been developed to meet changing military problems.

Many research projects initiated within the ranks of the Air Force have given this Nation needed technology with which to make great strides in many fields. The Air Force has wisely, in the past, awarded contracts for solid fueled rocket motor research, the result of which is that highly powerful space boosters can lift massive payloads into earth orbit. Unfortunately, the Air Force has not been allowed to progress further in this field but, thanks to Secretary Zuckert, we have made considerable progress.

The 53-year-old Secretary is leaving at an inopportune time, when America is being threatened by the aggressive forces of communism and when a strong, viable Air Force is a necessity, not a luxury.

Mr. Zuckert speaks enthusiastically of the Air Force of the future. He has been wise enough, and successful enough in seeing that the Air Force has a new base of professionalism on which to grow and to expand its usefulness in our military posture.

Eugene Zuckert has long stood in favor of manned bombers and ultrasophisticated weapons systems. His determination to provide alternatives to massive retaliation has produced a balanced, sensitive force which is constantly being refined and perfected.

When a man like Eugene Zuckert can be persuaded to give up a private practice of law and make many personal sacrifices, and submit himself to the innumerable pressures of appointive office and then perform with distinction, the Nation indeed owes him no small debt.

Mr. President, I am sure that my colleagues join with me in wishing Secretary Zuckert a satisfying and happy career after he leaves the rigors of Pentagon life. To his successor, Dr. Harold Brown, I also wish success and a desire that the U.S. Air Force might grow even greater as one of the free world's most effective deterrent forces standing around the clock for peace.

INDEMNIFICATION PAYMENTS TO FARMERS WHOSE MILK IS BARRED FROM COMMERCIAL MARKETS

Mr. BREWSTER. Mr. President, for the last 2 years I have urged an indemnity program to provide payments to dairy farmers who, through no fault of their own, have had their milk barred from commercial markets because it contained minute traces of chemicals which were approved for use by the Federal Government at that time, but are no longer considered acceptable.

An interesting study made by the National Academy of Sciences is now public. Among other things, the Academy recommends that the concepts of "no residues" and "zero tolerance," as employed in the registration and regulation of pesticides, are scientifically and administratively untenable and should be abandoned. These are the criteria used

in the actions of the Food and Drug Administration in the cases for which the indemnity program provides relief.

Mr. President, I ask unanimous consent that a recent article from the Baltimore Sun concerning this study be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

RESIDUE RULE HELD HARSH—REPORT SAYS NEW METHODS FIND HARMLESS PESTICIDE

WASHINGTON, July 18.—A scientific study recommended tonight that Government controls over toxic pesticides be modified to prevent possible needless seizure of crops found to have residues, although safe residues, of the chemical pest killers.

The study was made by the National Academy of Sciences and the National Research Council for the Departments of Agriculture and Health, Education and Welfare. These agencies have responsibility for the safe use of pesticides and distribution of foods produced under their use.

Many pesticides have been registered by the Agriculture Department on the basis that their prescribed use leaves no residue on crops or an amount deemed within safe limits.

ADVANCES IN TECHNIQUE

But recent advances in techniques for determining and measuring residues have shown that some actually exists on crops where none had been found under earlier techniques.

As a consequence, under strict interpretation of the Federal Drugs and Cosmetics Act, such new-found residues become illegal and the affected crop becomes subject to seizure even though the amount of residue present may not be a hazard to health.

This situation has presented the Government with a dilemma—whether to ban the pesticide and seize the crop on which a residue is found or to avoid the strict enforcement of the law.

ASKS CHANGE OF RULE

The study group said in a report made public today that the rules of "no residue" and "zero tolerance" as employed in the registration and regulation of pesticides are scientifically and administratively untenable and as a consequence should be abandoned.

"A pesticide should be registered on the basis of either 'negligible residue' or 'permissible residue,' depending on whether its use results in the intake (by consumers) of a negligible or permissible fraction of the maximum acceptable daily intake (of the pesticide) as determined by appropriate safety studies," the report said.

"Where the use of a pesticide may reasonably be expected to result in a residue in or on food, registration by the U.S. Department of Agriculture should not be granted unless it is established that the residue is a negligible residue or such residue is not more than a permissible residue established by the Food and Drug Administration," the report added.

In issuing its report, the study group took notice of a long-continuing controversy over uses and hazards of chemical pest-killers.

It said the pesticides are "necessary to health, nutrition and economy of the Nation."

"Although it is recognized," the report continues, "that some pesticide chemicals are more toxic than others to warm-blooded animals, and that their use requires greater restrictions to protect the public health, the committee believes that their valuable properties can be utilized without exposing people, domestic animals, fish or wildlife to undue risk."

Mr. BREWSTER. Mr. President, last year we were successful in amending the Economic Opportunity Act of 1964, and indemnity payments have now been made to approximately 175 farmers. The program must be continued. The Government must not be responsible for penalizing a single farmer who has used pesticides with Government approval, and who may continue to suffer milk contamination through residue.

The House-passed bill provides for a continuation of this program. Our Senate committee has recommended its extension to June 30, 1966. I hope that this provision of the pending bill will be retained.

AUTO SAFETY

Mr. KENNEDY of New York. Mr. President, I ask unanimous consent that an article appearing in the Medical Tribune and Medical News on the subject of "Auto Safety" be printed in the RECORD.

Mr. William Stieglitz has suggested that we can do much more to reduce the number of auto fatalities that occur each year. He points to the estimated $8 million that we spend each year on auto safety research as indicative of the lack of attention that this problem has received in the past.

I commend Mr. Stieglitz' comments to my colleagues. This is a problem that deserves attention from all of us.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

AUTO SAFETY: RESEARCH AND STANDARDS

(By William I. Stieglitz)

(NOTE.—The author is an aeronautical engineer with 20 years of experience in accident investigation and prevention. He has been a Government safety consultant and active in legislative efforts for improved auto safety standards. His published papers include "Parallels Between Aviation and Automobile Research.")

Approximately 48,000 people were killed in automobile accidents in 1964, and the annual number of fatalities has increased about 3,000 in each of the last 3 years. Estimates by agencies such as the National Safety Council and the Public Health Service of the number of people injured range from slightly under 2 million to over 4 million a year. The direct cost of accidents in 1964 is estimated by the National Safety Council at over $8 billion.

Despite the severity of the problem, the total annual expenditure for safety research by public and private agencies has been reliably estimated at no more than $8 million. There is no coordinated program for attacking the overall problem nor for the identification of problem areas requiring the highest priority. Research has been conducted by or under the sponsorship of various agencies of the Federal Government, State Governments, and private organizations, including industry, universities and foundations. In research applied to the vehicle, emphasis has been placed on injury prevention rather than on accident prevention. Similarly, most organized programs of accident investigation have been directed toward the crash-injury problem rather than determination of causes.

Accidents are assumed to be caused entirely by driver error and highway design, although it has been clearly established in other fields of accident research that the operator, machine, and environment are all interrelated.

Despite limitations in dollar expenditure and lack of coordinated planning, much valuable research has been accomplished; there is, however, a long and serious lag in the adoption of the results by the automotive industry. Applicable work in other areas has been totally ignored. Research in aviation has proven the value of shape-coded knobs and standard location of controls in minimizing operator errors; none of this has been applied to automobiles. Knobs are still of uniform shape, designed by the stylist, and are located randomly on the instrument panel at the whim of the designer. The adverse effects of reflections and glare in diverting attention, obscuring vision, and inducing fatigue are well known, yet most automobiles today violate the known principles for reduction of glare and reflections.

A major official of one of the automobile manufacturers, speaking on behalf of the Automobile Manufacturers Association last September, stated that there was no justification for "most safety proposals" and that "public acceptance * * * was a prerequisite in deciding if (a safety device) should be adopted." The record of the last several years would indicate that the automobile industry's definition of "public acceptance" is either legislation or threat of legislation. Voluntary action on safety problems has been taken by the industry in most cases only when it appeared probable that legislation would be adopted. Every proposal for legislated safety standards has been opposed by spokesmen for the automobile industry.

The automobile is the only means of transportation in this country for which there have been no Federal safety standards. In 1964, at long last, Congress enacted Public Law 88-515, which requires the General Services Administration to establish minimum safety standards for all Government-owned vehicles, effective on 1967 models. This law was passed over the strong opposition of the automobile industry, and its spokesmen have since been opposing many of the proposed standards and trying to water down others. For example, they advocated a standard that would have permitted an 8-inch rearward displacement of the steering column in a 30-mile-per-hour barrier impact, on the grounds that this was the best that some manufacturers would be able to do in 1967 models.

Two bills dealing with automobile safety have been introduced by U.S. Senator GAYLORD NELSON, of Wisconsin, in the current session. One would establish minimum safety standards for tires; the other would extend the coverage of Public Law 88-515 to all automobiles sold in, or intended for use in, interstate commerce. This, of course, would not preclude higher standards being adopted in State codes but would provide a baseline in all States. In addition, Senator ABRAHAM RIBICOFF, of Connecticut, is holding hearings relative to placing all automobile safety activities of the Federal Government under a single agency. Such an agency would be able to establish a comprehensive, coordinated research program. The opposition to such legislative action is vocal and well organized. It is essential that the legislation be supported by all those interested in automobile safety, but especially by those with professional knowledge in crash injury and accident prevention.

Such legislative action is necessary but will not by itself achieve safety. Research will be effective only if its results become incorporated in production automobiles. Standards can be effective only if they are adequate, and not if they permit an 8-inch displacement of the steering column in a 30-mile-per-hour crash. It will be necessary to see that adequate research is conducted and to review and comment on proposed standards in order to assure that they do provide an adequate level of safety.

TRIBUTE TO ESTHER PETERSON, SPECIAL PRESIDENTIAL ASSISTANT FOR CONSUMER AFFAIRS

Mr. MOSS. Mr. President, the Nation's business and advertising men have found Esther Peterson, President Johnson's Special Assistant for Consumer Affairs to be reasonable, personable, and someone they can work with.

This is brought out very forcefully in a well-written article about Mrs. Peterson in the August issue of National Publisher written by Bert Mills, Washington editor. The article recognizes the difficult situation in which Mrs. Peterson was propelled when she became the President's adviser on consumer matters, and says frankly that some businessmen were fearful of what might happen. It points out the fairness with which she has handled the job, and the extent to which she has gone to give business a voice to express views contrary to her own on legislation or on other important issues.

The article concludes that the business community and the advertising world are fortunate that someone like Esther Peterson holds the consumer job. I ask unanimous consent that the article about one of Utah's most famous citizens be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

VOICE OF CONSUMERS: MRS. ESTHER PETERSON

(By Bert Mills, Washington editor)

When Mrs. Esther Peterson was named by President Lyndon B. Johnson to be his Special Assistant for Consumer Affairs, back in January 1964, one Washington-based trade association rushed out a membership bulletin to report the appointment. The newsletter said the announcement indicated that "consumeritis"—one of the most virulent of governmental diseases—would remain in fashion and might get worse.

This was a reference to President John F. Kennedy's 1960 campaign pledge that he would be "the lobbyist for consumers." Kennedy did name a Consumer Advisory Council and did send a special message to Congress on consumers. But J.F.K.'s consumer program never really got off the ground and professional leaders of consumer organizations were disappointed in him.

President Johnson had been in office only about 6 weeks when he appointed Mrs. Peterson to his White House staff, although on a part-time basis. Under Kennedy, Mrs. Peterson had been the highest ranking woman in Government as Assistant Secretary of Labor. She still holds that post and "moonlights" in her consumer role.

After more than 1½ years in her consumer job, the association which commented on "consumeritis" has learned the ailment has proved far from fatal. Business representatives still watch Mrs. Peterson closely but they no longer fear her. One business writer who took the lady's measure at close range reported: "She's no ogre."

Indeed, Many Washington business representatives have become friends of the lady who serves as eye, ear, and voice of 60 million housewives. They have found her to be not unreasonable and that they can work with her. Many an association executive has livened up a convention program by obtaining Mrs. Peterson as a speaker. She obliges whenever she can.

AN EX-UNION LOBBYIST

Mrs. Peterson calls herself a housewife and mother. She is that and much more. Now a youthful and vigorous 58, Mrs. Peterson has had an unusual life. Her father was a school superintendent in Utah, so a career as a teacher came naturally. She earned degrees at Brigham Young and Columbia and taught for 12 years.

For 5 years she was assistant director of education for the Amalgamated Clothing Workers of America, then served that union for 3 more years as Washington legislative representative. Married to a Foreign Service officer, she lived in Europe for nearly a decade, in Sweden and Belgium.

Returning to the United States in 1957, by this time having acquired four children, she resumed her union career as legislative representative of the Industrial Union Department, AFL–CIO. In pounding the Capitol corridors, her job threw her in contract with a prolabor Senator named John F. Kennedy. Of course, she already knew the Senate majority leader, one Lyndon B. Johnson.

A working Democrat in the 1960 campaign, she was rewarded after the Kennedy victory with a post in the Labor Department as head of the Women's Bureau. Less than 7 months later she attained "Little Cabinet" status as Assistant Secretary of Labor. Since given the consumer post, she maintains two offices and two staffs. Her consumer operation is not headquartered in the White House but in the Executive Office Building one block away.

Mrs. Peterson is tall, slim, and blue-eyed. She is the friendly type, easy to talk to, and an animated conversationalist. One editor who debated her on a radio show complained that he had trouble remaining a gentleman and still getting his counterarguments across.

GETS A LOT OF MAIL

In the first 2 weeks after assuming her role as protector of consumers, Mrs. Peterson received about 500 letters. The volume has declined, of course, but she hears from various segments of the public regularly. And she meets all kinds of people in her travels, which have taken her to almost every State.

She gets a lot of publicity, most of it favorable, and has survived one major crisis. One advertising trade journal performed a real smear job on her, asking in page 1 headlines: "Is she ignorant, or is she deliberately pitting consumers against advertisers for her own purposes?" One advertising trade association took up the campaign.

Other ad organs rallied to her defense. One called the association attack immoderate, unwarranted, and stupid. Another ran a symposium on the question: "Does Mrs. Peterson pose a threat to marketing?" Its editorial conclusion: "No."

The attack by one trade journal and one ad group caused Mrs. Peterson considerable embarrassment at the White House. The administration's Great Society blueprint called for cooperation with business and there were members of the President's staff who feared the consumer advisor was impairing the image.

Mrs. Peterson weathered the storm with dignity and ultimately spoke before the association which had labeled her as "antibusiness" and "antiadvertising." She pointed to some packaging marketing abuses which she had cited before, then asked the admen:

DEPLORES WORD BATTLES

"Why must it be, then, that when governmental people call attention to these realities, some kind of flashing light goes on, the mimeograph machines start whirling, and a blazing battle of furious words starts raging in the editorial columns?

"Believe me, your Government is not out to destroy the free enterprise system, or wreck advertising as it exists today—and it couldn't even if it wanted to. We happen to believe in free enterprise—and we believe with former Secretary of Commerce Hodges that 'without advertising to stimulate a constantly expanding demand for goods and services, we wouldn't be the wealthiest nation that has ever existed.'

"Now, the Government is not always right. But, neither is the Government always wrong—although some people seem to think so. Why not study our programs and ideas more carefully and objectively, and if you're still not in agreement with us, why not sit down and talk it over? Your organization has done that in the past, and as far as I can ascertain, it has produced good results.

"Let me say that Government-business cooperation is a two-way street. Let us, then, engage in a dialogue—not a diatribe. Let us educate each other—for the pressures operating on us are different and we live in different environments. Let us criticize each other for our errors and omissions, but let us beware of criticism based on fear of supposed motives—or emotion.

"And before we criticize each other, let us communicate with each other. If we do, I am sure that, together, we will be able to improve the quality of the American marketplace, and promote the best interests of the consumer."

BACKS PACKAGING BILL

Mrs. Peterson is a strong and vocal backer of two long-pending bills which are opposed by most businessmen, the so-called truth-in-packaging proposal of Senator PHILIP A. HART, Democrat, of Michigan, and the equally propaganda titled truth-in-lending measure of Senator PAUL H. DOUGLAS, Democrat of Illinois.

In her Department of Labor capacity Mrs. Peterson had already testified in favor of the Hart and Douglas bills before she took the consumer post. The administration backs both bills, and the consumer spokesman plugs them often. She could not do otherwise in her position.

However, business fears that she would turn the four regional consumer conferences she held last year into forums to drum up support for these bills proved unfounded. These topics were covered, among others, but business spokesmen were present and able to air their contrary views.

As a matter of fact, the regional conferences in St. Louis, Salt Lake City, Detroit, and Atlanta turned out surprisingly well—for businessmen Government planners were not so pleased, and some professional consumer leaders were dismayed. Few new ideas were spawned, the same old complaints about such unsolvable problems as the cost-of-living kept arising, and too few rank-and-file consumers participated.

Nevertheless, the regional conferences were most valuable to Mrs. Peterson. She found out that most of the gripes of consumers are petty and matters she can't solve. Education of shoppers is badly needed but this is a lifetime process. No amount of Government pamphlets will make any dent until such materials are wanted and understood. And the people who need help the most are least able to profit from Government efforts.

As the administration's poverty program has gathered steam, Mrs. Peterson has tied in with it in every way she can. A low-income panel was set up and issued a report, concluding "the poor pay more." But as in other reports and in her speeches, Mrs. Peterson did not point an accusing finger at business.

NEW ADVISERS NAMED

Mrs. Peterson inherited the old Consumer Advisory Council originally named by President Kennedy. It was dominated by the "old war horses" of the consumer movement, whose doctrinaire views have been a matter of public record for decades. She did not find the group very useful nor very active.

After considerable delay, because even a special assistant to the President has trouble getting his ear when there are larger problems in Vietnam, Santo Domingo, and elsewhere, Mrs. Peterson now has a new Con-

sumer Advisory Council. As interesting as the newcomers are, the departures may be more significant.

For example, Prof. Colston Warne, of Amherst College, was on the old panel. He is President of Consumers Union, the organization which survives by debunking advertising. Dr. Warne has made a career out of being an arch foe of advertising. He is no longer a member of CAC. In fact, only three of a dozen members are holdovers.

New CAC chairman is Dr. Richard H. Holton, professor of business administration at the University of California at Berkeley. He is hardly a leftwinger, having served as Assistant Secretary of Commerce until last January. He represented Commerce on the President's Committee on Consumer Interests while in Washington. CAC members serve as public representatives on the President's Committee, which is otherwise comprised of Government people.

The new CAC held its organization meeting in Washington in June, and Dr. Holton and Mrs. Peterson indicated where they are going by naming five subcommittees and broadly defining their duties. They are Federal-State Cooperation, Consumer Education, Standards and Labeling, Economic and Legislative Policy, and Federal Consumer Representation.

It will be noted that none of the five appear to be closely linked to advertising. This suggests that fears of the business community, including newspapers, about the activities of Mrs. Peterson can safely be relegated to the back burner. She will continue to step on some toes but she is far from an antibusiness crusader.

If there has to be a consumer representative on the President's staff, the business community is fortunate that Mrs. Peterson holds the job. She has proved it is possible to be proconsumer without being antiadvertising.

The VICE PRESIDENT. Is there further morning business? If not, morning business is closed.

ECONOMIC OPPORTUNITY AMENDMENTS OF 1965

Mr. RUSSELL of South Carolina. Mr. President, I ask that the unfinished business be laid before the Senate.

The PRESIDING OFFICER (Mr. McGOVERN in the chair). The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 8283) to expand the war on poverty and enhance the effectiveness of programs under the Economic Opportunity Act of 1964.

The PRESIDING OFFICER. Is there objection to the request of the Senator from South Carolina? The Chair hears none, and it is so ordered.

The Senate resumed consideration of the bill.

Mr. JAVITS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 390

Mr. SIMPSON. Mr. President, I call up my amendment, which was submitted on behalf of myself by the Senator from Colorado [Mr. DOMINICK] yesterday.

The PRESIDING OFFICER. The amendment offered by the Senator from Wyoming will be stated.

The legislative clerk read the amendment (No. 390) as follows:

On page 31, line 17, in the committee amendment, it is proposed to insert the following:

"SEC. 32. Section 103 of part 1 of title I of the Economic Opportunity Act of 1964 is amended by adding at the beginning of said section the following: 'The Director of the Office will not authorize any Job Corps program that would result in the displacement of employed workers or impair existing contracts for services.' "

Mr. SIMPSON. Mr. President, yesterday at my request my friend, the distinguished junior Senator from Colorado [Mr. DOMINICK] submitted an amendment to H.R. 8283, a bill amending the Economic Opportunity Act of 1964.

The purpose of my amendment, designated amendment No. 390, is to clarify the intent of Congress concerning the Job Corps program. The amendment reads:

The Director of the Office (of Economic Opportunity) will not authorize any Job Corps program that would result in the displacement of employed workers or impair existing contracts for services.

The need for this amendment has been made graphically clear by an incident which arose recently in the State of Wyoming.

I wish to point out, Mr. President, that my amendment is not introduced or intended as a measure for private relief. It is proposed in the defense of a time-honored and cherished American principle: That it is private enterprise, not the imposition of a big government, which is the economic basis for our Republic.

I might add, Mr. President, that the passage of this amendment would not insure the granting of any contract to any specific company, now or in the future, but it would prohibit the Director of the Office of Economic Opportunity from robbing individuals in private industry of their jobs.

A private firm in Casper, Wyo., the Petroleum Ownership Map Co., has for the past several years contracted with the Bureau of Land Management for mapping and technical work in conjunction with the land record revision program.

On July 8, 1965, the field office of the Bureau of Land Management Records Improvement Project Office in Denver, Colo., advertised bids for preparing composite basic township plats. Before the bids were due to be opened on July 26, 1965, the invitation was canceled by an order of the Division of Management Analysis in the Bureau of Land Management. The private firm which had in the past and which would in the future contract for these bids had planned to employ or to keep in its employ some 20 persons to do the work involved. It was learned through my investigations that the Bureau of Land Management Division of Management Analysis had withdrawn the offer for bids in order to conduct a study investigating the feasibility of Job Corps personnel performing the work. On August 6, I wrote the Director of the Bureau of Land Management asking that I be informed of the reasons for, and the results of, the study. My investigations in the Office of Economic Opportunity have revealed that the Job Corps program has not been consulted or apprised of the Bureau of Land Management's study.

The work in question has been described by the president and owner of the Petroleum Ownership Map Co. He says that:

The great wealth of the United States lies in its public lands. Proper development and use of its lands are not possible without adequate land records and the present records, except where revised under the records improvement project, are poor and deteriorating. Immediate revision of the land records is absolutely necessary. In the revision program, all record information will be shown on the basic composite land plats, so these plats must be carefully and accurately prepared by responsible workers or they will be valueless. The job simply cannot be taken over by * * * unskilled teenagers, regardless of background.

The composite plats are drafted from all survey data available, at many scales, prepared since the land was first opened for settlement. Generally the latest survey plat controls; but often this is not true because of alluviation of rivers and streams, incorrect corners, intervening mining claims, and numerous other factors. To prepare a plat which will properly delineate the land areas covered by patents, leases, withdrawals, etc., requires a thorough knowledge of survey procedures and history, and the exercise of mature judgment in deciding controlling factors.

To get all surveys of a particular area on one composite scale requires the use of large cameras and Kail tracing equipment. Some distortion results when the survey plats are enlarged or reduced with this equipment and corrections must be made manually by the draftsman, again exercising mature judgment based on experience in this type of mapping. Several years of training are required by both the cameraman and the draftsman. This training would begin only after such a person had acquired at least a high school education.

Printed information is applied to the plats by use of VariTypers. A person who can type can learn to use a VariTyper in approximately 3 months. They are fairly proficient in 6 months. But first, they must learn to type and we wonder how many of the Job Corps personnel will be able to use a typewriter when they begin this work.

There is a great deal of information on the various source plats, but only a small amount of the information affects land disposition. Generally only that part affecting land disposition should be transferred to the basic composite plats prepared under the revision program. Again, mature judgment based on experience with this type of mapping must be exercised so that the correct and vital material is separated from the mass of incorrect and useless material.

The work is important and must be performed within reasonable time limits by responsible people. Before our company, or any other contractor, begins work we must obtain a performance bond. We are bound by the amount of our bid and if we exceed the time limit, the Government collects liquidated damages at the rate of $100 per day. We are not paid until the work is inspected and accepted as being correct by the Government. Our incentive is to produce acceptable work in as short a time as possible.

We do not believe you will find this measure of responsibility in the Job Corps. They will be paid only as long as the work is not finished, and for just as long as the project can be muddled by inefficiencies and redtape.

Our firm has just completed basic composite plats of the State of Colorado for the revision project. Your engineers' estimate for this work was $70,000. But our company was able to prepare the plats for $53,466.93. We sincerely believe that such a savings to the Government cannot be duplicated elsewhere, and certainly not with the use of inexperienced, untrained personnel.

Perhaps it is not proper to consider here, but we believe that you should also consider the reaction of adult, working people generally, if the Job Corps is used to replace adult workers who are earning living wages and supporting families. We have 20 trained and skilled adult workers who need the jobs that this work would provide.

I wish to tell the Senate of another ramification to the problem which was brought to my attention in a letter which arrived in this morning's mail. The letter is as follows:

DEAR SENATOR SIMPSON: It has been brought to my attention by our customer, Mr. Womack of the Petroleum Ownership Map Co., that there is now a serious possibility of Job Corps people being requested to perform services that his company specializes in and competitively bids on through the Bureau of Land Management.

This, of course, concerns me; as in cooperation with the Small Business Administration, a sizable loan was extended to this company in 1964. Part of our consideration in granting this loan was the total volume of service performed. If it were to become customary for Job Corps people to now perform this specialized service, it could very well, through decreased volume, jeopardize our loan.

Mr. Womack also has a sizable payroll; and without the contracts through the BLM, it would be necessary for him to reduce his trained staff considerably. With the present moving of oil companies from Casper, we, of course, would not like to see any additional payroll reduction in Casper.

I would certainly appreciate your investigating this problem and, if possible, doing what you can to help Mr. Womack and protect our present position.

Very truly yours,
SECURITY BANK & TRUST CO.,
DONALD K. HOGOBOOM, *President*.

Fellow Senators, need I say more? We seek to encourage and stimulate private enterprise through the operation of the Small Business Administration. We make liberal loans available because it is agreed that small business has in the past and will in the future be vital to our way of life. Then in a flash the Federal Government turns around and denies that same small businessman of an opportunity to bid on a project essential to his business survival. That is a kind of magic which I do not understand, Mr. President.

In the 88th Congress the Economic Opportunity Act of 1964 received the attention of both the House and the Senate and of the various committees to which that act was referred. At no time during the debates or hearings on the poverty bill was it predicted or envisioned by Congress that the Job Corps would be used to replace employed persons in the private sector of our economy. No one, in debating the poverty bill, considered the fantastic possibility that the Job Corps would be allowed to compete with private industry.

In Senate Report No. 1218 of the 88th Congress, a report of the Committee on Labor and Public Welfare accompanying the poverty bill, a clear distinction was drawn between the Job Corps, which was envisioned as principally conservation—camp, training, and educational program—and the Neighborhood Youth Corps, which was envisioned as a local employment program.

The 88th Congress was explicit in defining limitations on the work-training programs or Neighborhood Youth Corps under part B of title I of the Economic Opportunity Act of 1964. Section 113, subsection a(4) of that act specifically prohibited the so-called "Neighborhood Youth Corps" from replacing workers in the private sector. In addition, such authorities as Secretary of Labor W. Willard Wirtz in testifying on the poverty program said that:

No job in this program will displace a regular worker. Nor will the Department (of Labor) approve any program which might substitute for regular full-time jobs that would otherwise be created. We are not going to meet this problem by robbing Peter of his job to give it to Paul's son.

In rereading the legislative history of the Economic Opportunity Act of 1964, it seems clear that no one contemplated that it would be necessary to make specific limitations as to the Job Corps. In the Senate report last session on the poverty bill, the Committee on Labor and Public Welfare did express itself in regard to the employment—training to be conducted by the Job Corps.

The committee said:

It is contemplated that the training corps will relate to occupations where the employment outlook is favorable and where the occupational requirements are within the capability of the enrollee.

But the committee apparently did not feel that it was necessary to limit the Job Corps, as it had expressly limited the Neighborhood Youth Corps. However, the present attempt by the Bureau of Land Management to replace privately employed workers with Job Corps personnel make it imperative that Congress now express such a limitation. It is unfortunate that the original poverty bill was drafted and passed in such a way as to make possible such an extraordinary misinterpretation of the intent of Congress by some Federal bureaucracy. But such a misinterpretation has been made. It is patently ridiculous to wipe out 20 jobs held by wage earning, taxpaying citizens so that their means of livelihood can be given to high school dropouts and juvenile delinquents. The purpose of the poverty program was, I hope, to alleviate poverty, not to create it. My amendment would remedy the specific difficulties of which I have spoken and would prohibit a similar incident from occurring in the future.

This amendment meets a real need and I strongly urge its adoption by the Senate.

I have discussed this matter with the distinguished Senator from Michigan [Mr. MCNAMARA]. Perhaps the Senator is willing to accept the amendment to the bill.

Mr. MCNAMARA. Mr. President, as the Senator in charge of the bill, I have had an opportunity to study the amendment and discuss it with the distinguished Senator from Wyoming. Since it generally provides for matters that have been acceptable not only to the committee but the administration, we will accept the amendment.

Mr. SIMPSON. I thank the distinguished Senator from Michigan.

The PRESIDING OFFICER (Mr. MCGOVERN in the chair). The question is on agreeing to the amendment of the Senator from Wyoming.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. MCNAMARA. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may speak on several matters not related to the pending legislation.

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

TRIBUTE TO SENATOR ERVIN

Mr. MANSFIELD. Mr. President, last week the Senate very expeditiously passed the bill providing exemptions from the antitrust laws, under certain prescribed conditions, for banks which help our Government solve the very difficult balance-of-payments problem.

The floor manager of that bill was a very able lawyer, the distinguished senior Senator from North Carolina [Mr. ERVIN]. Because of his skilled management of the bill and his ability to explain it with clarity and conciseness, this important measure was agreed to by this body in short order. I would be remiss, however, were I to permit the occasion of passage of that significant balance-of-payments measure to go by without expressing to the Senator from North Carolina my personal thanks and commendations and those of the entire Senate.

FOURTH ANNIVERSARY OF SIGNING OF CHARTER OF PUNTA DEL ESTE

Mr. MANSFIELD. Mr. President, today marks the fourth anniversary of the signing of the Charter of Punta del Este—a day which stands out as the beginning of a new era in United States-Latin American relations. It was on this date that the mutual concern for the economic and social health and welfare of the American Republics was translated into a program of hemispheric action. In the words of President Kennedy it was "a vast cooperative effort, unparalleled in magnitude and nobility of purpose, to satisfy the basic needs of the American

people for homes, work and land, health and schools."

As the Alliance for Progress is reviewed on this anniversary, it is painfully apparent that the job is so great that progress seems to have been slow and inadequate when it is measured against what needs to be done. There are too many problems, too many ills, and too many minds to educate, too many institutions to build and rebuild, too much unrest and dissatisfaction, too much to be done.

If progress seems slow, perhaps it is inevitable that it must be; some lag behind; others have marshalled their skills and their talents, their resources and their ambitions and have moved ahead with great strides. The problems of the dispossessed, the poor, the hungry, the illiterate will not easily be solved, nor should any of us expect them to be. They are, after all, the entrenched legacy of centuries.

While so far the effects of the alliance have been substantial they have not been overwhelming. The greatest accomplishments of the Alliance cannot be measured by numbers, not by the number of schools, houses, and water systems built, nor by the number of loans made nor money spent. What is even more impressive about the last 4 years is the dramatic change of attitude among governments that has taken place in this short time span. This is evident in progressive tax and land reform laws that many legislatures have enacted and by the self-help housing programs that have been set in motion. It is evident in the world councils of states, at the bargaining tables, in the OAS, in the Inter-American Bank, and in the responsible self-criticism by the Inter-American Committee for the Alliance for Progress. It is evident in the beginnings of a newborn and growing consciousness of the inevitability and the desirability of change. It is evident in a deep and thoughtful concern for the future. It is evident in a new awareness that life can be better for the forgotten millions of this hemisphere.

ADDRESS BY AMBASSADOR GOLDBERG IN THE SPECIAL COMMITTEE ON PEACEKEEPING OPERATIONS OF THE UNITED NATIONS

Mr. MANSFIELD. Mr. President, our new Ambassador to the United Nations, Arthur J. Goldberg, has over the years, established an unblemished record as a man of purpose, of strength, and of candor. And, it was with purpose, strength, and candor—in plain and forthright language—that he delivered his first address as U.S. representative to the U.N. yesterday before the Special Committee on Peacekeeping Operations. Ambassador Goldberg spoke for the Nation when he reemphasized the hope and the dreams of the American people and people everywhere that the U.N. can become an effective instrument for the maintenance of world peace and the rule of law in international affairs. But, he left no doubt that if that potential is to be fulfilled, the support of every member of the world body for the sound principles on which the U.N. is based is essential. In the absence of the rule of law and a collective willingness to adhere to the responsibilities set forth in the Charter of the United Nations a return to chaos is certain and imminent.

Mr. President, I ask unanimous consent that Ambassador Goldberg's speech at the U.N. be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

STATEMENT BY AMBASSADOR ARTHUR J. GOLDBERG, U.S. REPRESENTATIVE TO THE UNITED NATIONS, IN THE SPECIAL COMMITTEE ON PEACEKEEPING OPERATIONS, MONDAY, AUGUST 16, 1965

Mr. Chairman, I have had the pleasure of meeting informally with some of the heads of delegations to the United Nations during the past few weeks. This, however, is my first formal appearance before an official organ of the General Assembly. I, therefore, asked to be inscribed to speak first so I might begin, with your indulgence, by assuring all members represented on this committee of the great sense of responsibility I feel in assuming my new duties as Permanent Representative of the United States of America to the United Nations.

President Johnson, in announcing my appointment, said of my assignment: "In his new office he will speak not only for an administration but he will speak for an entire Nation, firmly, earnestly, and responsibly committed to the strength and to the success of the United Nations in its works for peace around the world."

My own thoughts, in accepting this assignment, are dominated by a strong conviction that the world is so full of danger and tribulation that every available part of the U.N.'s peacekeeping machinery must be in working order so that the United Nations as a whole can perform its appointed role of peacemaker and peacekeeper.

And I cannot enter upon my official duties without paying my respects to my great and gifted and eloquent predecessor, the late Adlai E. Stevenson. He will be sorely missed. He and I were personal friends of long standing; and I knew him well enough to be sure that if he could be here today his message to us would be simple and forthright: get on with your work of making peace.

* * * * *

I therefore turn, Mr. Chairman, to the business at hand.

I do not intend to review here in detail the position which the United States has taken with respect to articles 17 and 19 of the charter. As the members of this committee are well aware, we believe in the soundness of the following straightforward principles:

First, that the concept of collective financial responsibility adopted by the United Nations in 1945 is a sound principle—and a landmark in the practice of international organizations.

Second, that article 17 of the Charter of the United Nations is impeccably clear on the right of the General Assembly to assess and apportion among its members the "expenses of the Organization."

Third, that the costs of peacekeeping operations, once assessed and apportioned by the General Assembly, are expenses of the Organization within the meaning of article 17—a proposition confirmed by the International Court of Justice and accepted by the General Assembly by an overwhelming vote.

Fourth, that article 19 is clear beyond question about the sanction to be applied in the case of 2-year delinquents.

Our views on these matters have not represented a bargaining position nor have they changed. They have not been based on narrow national interest but on the clear language of the charter and what seemed to us the clear interests of the Organization.

This is not and never has been an issue in any so-called cold war; under the law of the charter the questions would be identical regardless of which member or members happened to be in arrears—or for what assessed United Nations activity they failed to pay—or why they refused to pay for it.

Nonetheless, the issue has been interpreted widely as a "confrontation"—not between the delinquent members and the law of the United Nations—but between major powers. We do not so regard it.

We, for our part, cannot abandon our adherence to positions which we firmly believe to be constitutionally, legally, procedurally, and administratively correct.

Much less can we abandon positions taken and precedents established by the Assembly itself by overwhelming majorities, acting within the framework of the charter and according to its own established procedures. I refer specifically to the formal actions of the General Assembly since 1956 levying assessments to finance the United Nations Emergency Force; to the similar assessment resolutions since 1960 for the United Nations operation in the Congo; to the decision in 1961 to submit to the International Court of Justice the question of whether these assessments are "expenses of the Organization"; within the meaning of article 17; to the Assembly's authorization in 1961 of the United Nations bond issue; to the Assembly's acceptance in 1962 of the advisory opinion of the Court on the question submitted to it; to the reaffirmation by the Assembly's fourth special session in 1963 of the collective financial responsibility of all United Nations members; and to the appeal by the same body to delinquent members to pay their arrears.

All this has been done by the Assembly and cannot be undone by a few of its members. The law and the history of the matter cannot be revised.

The United States regretfully concludes, on ample evidence, that at this stage in the history of the United Nations, the General Assembly is not prepared to carry out the relevant provisions of the charter in the context of the present situation. From private consultations, from statements by the principal officers of the Organization, from the statements and exhaustive negotiations within and outside this committee, from an informal polling of the delegations—indeed from the entire history of this affair—the inevitable conclusion is that the Assembly is not disposed to apply the loss-of-vote sanction of article 19 to the present situation.

We regret that the intransigence of a few of the member states, and their unwillingness to abide by the rule of law, has led the Organization into this state of affairs.

The United States adheres to the position that article 19 is applicable in the present circumstances. It is clear, however, that we are faced with a simple and inescapable fact of life which I have cited. Moreover, every parliamentary body must decide, in one way or another, the issues that come before it; otherwise it will have no useful existence, and soon no life.

Therefore, without prejudice to the position that article 19 is applicable, the United States recognizes, as it must, that the General Assembly is not prepared to apply article 19 in the present situation and that the consensus of the membership is that the Assembly should proceed normally. We will not seek to frustrate that consensus, since it is not in the world interest to have the work of the General Assembly immobilized in these troubled days. At the same time, we must make clear that if any member can insist on making an exception to the principle of collective financial responsibility with respect to certain activities of the Organization, the United States reserves the

same option to make exceptions if, in our view, strong and compelling reasons exist for doing so. There can be no double standard among the members of the Organization.

Some members may believe that in not applying article 19 no important decision is being made. The United States believes that no one can or should overlook the fact that the exercise of important prerogatives of the Assembly granted it under the charter is being impaired. The United States wishes to strengthen, not weaken, the United Nations by adhering to rather than departing from basic, sound principles. Therefore we must disclaim responsibility for the Assembly's attitude, which has developed contrary to the views we still hold to be valid, and place the responsibility where it properly belongs—on those member states which have flouted the Assembly's will and the Court's opinion.

We look forward, nonetheless, to the not-too-distant day when the entire membership will resume its full range of collective responsibility for maintaining world peace. In the meantime, it is all the more important for the membership, though unready to apply article 19, to solve the United Nations financial problems and to continue to support in practice the sound principle of collective financial responsibility, and to adopt practical and equitable means by which those willing to share the responsibility for peace can act in concert to maintain and strengthen the indispensable peacekeeping capacity of the United Nations.

Meanwhile, the Security Council retains its primary responsibility—this does not mean sole responsibility—for the maintenance of international peace and security; and the General Assembly retains its residual authority for this purpose, especially when the Security Council is unable to meet its responsibilities.

Mr. Chairman, my Government has never been prepared to accept a situation in which the capacity of the United Nations to act for peace could be stopped by the negative vote of a single member. Nor should the effectiveness of this Organization be determined by the level of support forthcoming from its least cooperative members.

The world needs a strengthened—not a weakened—United Nations peacekeeping capacity. Those who are prepared to help strengthen it—the overwhelming majority—must be in a position to do so with or without the support of the reluctant few until they learn, as they surely will, that a workable and reliable international peace system is in the national interest of all members.

My Government states these views here today in the conviction that the time is now for the General Assembly to get on with its heavy agenda, which is indeed the unfinished business of mankind.

We must find new strength and new capacities for building, brick by brick, the community of man.

Mr. Chairman, when my appointment was first announced I said that "the effort to bring the rule of law to govern the relations between sovereign states is the greatest adventure in man's history." These were not merely ceremonial words. They described, rather, a deep conviction on my part and a precise evaluation of what I think this work at the United Nations is all about. If President Johnson did not agree he would not have sent me here.

I would be less than candid if I did not state my conviction that the rule of law is not being furthered by the action of those Member States who are responsible for not implementing it. But establishing a rule of law is not easy and, despite temporary setbacks, we must persevere in what is not only a noble but an indispensable task if universal peace is to be achieved.

I therefore pledge to you, on behalf of myself, and on behalf of my delegation, and on behalf of the Government I represent, that the United States is prepared to join in a fresh drive to help the United Nations gather new strength until the rule of law is universally accepted—until the present and future generations are indeed safe from the scourge of war—until better standards of life in larger freedom are indeed the order of the day—and until the dignity and worth of the human person is realized everywhere.

Mr. Chairman, we agree, in light of present world tensions, that the General Assembly must proceed with its work. In doing so, it is well to remember the ancient counsel that while the world is full of tribulation, "tribulation maketh patience; and patience, experience; and experience, hope."

COOLIE SUPPLY TRAIN

Mr. MANSFIELD. Mr. President, in the Washington Daily News of August 9, there appears an article by the Scripps-Howard staff writer, George Carmack, on the primitive transportation system which is employed by those who oppose the Saigon Government. It is the coolie supply train which has apparently become the main source of supply for the insurgency. Thousands of human porters move north and south in an endless stream, carrying on their shoulders the necessities of warfare and survival. The "bitter effort"—for that is what "coolie" means—system of transport is as cruel and as exhausting as it is indigenous to China and many other parts of Asia. But it can be effective when the hands are many and the roads, vehicles, and even the pack animals are few.

The Senate should find this article by Mr. Carmack of considerable interest and I ask unanimous consent that it be included at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Daily News, Aug. 9, 1965]

COOLIE LINE SUPPLIES VIETCONG

(By George Carmack)

The Defense Department official's hands moved swiftly as he made his point:

"Over here put a little mound of sugar.

"Then over here put an anthill.

"The way those ants work back and forth"—and here his fingers danced in and out—"is the way thousands of coolies stream back and forth between North and South Vietnam carrying ammunition and other supplies to the Vietcong."

ON THE BACK

Most of the stuff North Vietnam sends to South Vietnam is moved in two ways:

The soldier himself carries it when he first goes south.

What he can't carry plus the necessary resupply is carried on the backs of coolies.

Some supplies must be carried as much as 600 miles. A trip down the Ho Chi-minh trail and into the southern part of South Vietnam might take a coolie as much as 6 months.

It is believed we have now shut off most of the men and supplies coming in by sea.

SEA PATROL

The South Vietnamese have about 500 armed junks on patrol. They also man about 40 naval vessels the United States has supplied them.

The U.S. Navy has brought into being a new 16-vessel unit called the Sea Surveillance Force.

The Coast Guard has 17 cutters operating in two groups.

Within North Vietnam the supplies can be moved over a good network of roads.

This is the area where the United States is doing much of its bombing and where thousands of workers have been shifted to keep roads and bridges under repair.

No supplies move directly across the short 50-mile-wide border between North and South Vietnam. The border has been heavily mined by both sides.

North Vietnam must move its supplies down through Laos. Many miles of the Ho Chi-minh trail are in Laos.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

FOURTH ANNIVERSARY OF THE ALLIANCE FOR PROGRESS

Mr. JAVITS. Mr. President, I join the distinguished Senator from Montana, the majority leader, and the distinguished Senator from Oregon [Mr. MORSE], the chairman of the Subcommittee on Latin American Affairs of the Foreign Relations Committee, in hailing the fourth anniversary of the Alliance for Progress. Also, with respect to the President's speech upon this occasion, I wish to express the deep satisfaction that he has undertaken to call attention to new opportunities for the economic integration of the Americas which lie before us.

His call for the establishment of a continent-wide program—patterned after the European Coal and Steel Community—for the production and trade of fertilizers, pesticides, and other products needed to increase Latin American agricultural production and his offer of U.S. support for such a program is a most important initiative. This proposal is in line with recommendations made a week ago by the Inter-American Committee on the Alliance for Progress, CIAP and is supported by the achievements of the Central American Common Market and LATTA.

The President also proposed that the Congress eliminate the special import fee now levied on sugar.

Third, and very importantly, the President has called for further work on the stabilization of commodity prices, through the International Coffee Agreement and similar commodity agreements. This represents a great change in policy.

I speak personally now in expressing my personal gratification that the President seems to have taken up the idea of western hemispheric economic integration by encouraging the nations of Latin America to take the first big step, as Europe did with its European Coal and Steel Community.

Some time ago I spoke in Santiago, Chile, and earlier this year in Mexico City, and called for a common market encompassing all of Latin America, and then the formation of a Western Hem-

isphere free trade area including the United States and Canada, with certain exceptions, which were taken into account, in light of the specialized character of the economies of both South America and North America.

The first step that was taken along this line in Europe was in the establishment of the European Coal and Steel Community. That could be the pattern here in the rationalization of the production of Latin American industry related to increasing Latin American agricultural production.

I hail this initiative. I get personal gratification from it, as an early proponent of this program, which follows the pattern of the ADELA Investment Co., with which the Senator is already very much familiar.

I hope very much that we will go through with helping our Latin American brethren to break through in this first step for the economic integration of the Americas.

I pledge my very best efforts toward attaining these enviable opportunities for peace and security and freedom, and in resisting Communist influences or even ultraright influences, such as those of military juntas.

I shall do everything I can to forward this historic and enormous objective.

I feel distinctly gratified, and perhaps feel the most gratification that I have ever felt, that this should have been taken up by the President of the United States.

Even the critics of the Alliance for Progress will agree that in this 4-year period the Alliance has achieved a great many successes both in terms of meeting the targets laid down in the Charter of Punta del Este and in terms of representing a historic turning point in U.S. policy toward Latin America.

In terms of economic development, the Alliance resulted in an extraordinary mobilization of Latin America's resources in the past 4 years. This year Latin American nations will not only contribute the 80 percent of the total investment capital called for by the Charter of Punta del Este for economic and social development—an average of $8 billion a year—but will exceed it by 50 percent. The United States for its own part also fulfilled its pledges by committing $4.4 billion in U.S. aid funds under the Alliance. Per capita gross national product rose by 2.5 percent last year—another key target set by the charter.

An effective multilateral organization—the Inter-American Committee of the Alliance for Progress—CIAP—is now a key element in the drafting and execution of development plans, the mobilization of domestic and external financial resources, and in the carrying out of economic and social reforms in Latin America.

Economic integration is beginning to show promising results, particularly in the Central American Common Market. The Latin American Free Trade Association has increased intraregional trade—for the first time in history intraregional trade exceeded 10 percent of the region's total trade. It is also becoming increasingly clear that accelerated regional integration can be achieved only in the form of a broader Latin American Common Market with close U.S. support and assistance. I have urged this since March 1964. Earlier this year four leading hemisphere leaders submitted detailed plans for creating a Latin American Common Market to the leaders of the hemisphere at the request of President Frei, of Chile.

The Alliance's achievements to date do not mean that all problems have been solved. For example:

First. Seventy-five percent of Latin America's foreign exchange income is still generated through exports of oil, coffee, meat, cotton, copper, sugar, wool, iron ore, and bananas.

Second. Developed countries—especially in Europe but including the United States—continue to impose restrictive measures on Latin American exports such as coffee, lead, zinc, and oil—a situation which has been condoned by Latin American exporters desiring the benefits of selling in protected, high-price markets.

Third. Wide disparities remain between the development of economic sectors within individual countries as well as between the levels of development of individual countries of Latin America—per capita annual income ranges between $1,120 in Venezuela to less than $100 in Bolivia.

Fourth. Development planning often takes place without the full participation of the private sector.

Fifth. The heavy external debt burden of many Latin American countries impedes their economic development efforts.

Sixth. Intra-LAFTA trade still constitutes only 8 or 9 percent of the LAFTA countries' total trade. Intra-CACM trade accounts for only 13 percent of that region's total trade.

Seventh. Tariff cutting procedure in LAFTA is permissive rather than automatic or across the board which allows member countries to protect indefinitely against effective competition the most sensitive areas of their economies.

Eighth. Industrial integration among countries is still only in the talking stage.

Ninth. Real monetary and fiscal stability is still lacking in many of the member countries of LAFTA.

Tenth. Expansion of intra-LAFTA trade in manufactured goods has been quite limited due to the reluctance of the more advanced member countries to reduce their high tariffs on such goods because of a fear of exposing their heavily subsidized industries to competition from abroad.

We are only at the beginning of a long, hard road that will require further Latin American economic and social reforms, further changes in United States and European trade policy and a constant review of the aims and content of the Alliance for Progress.

It is, therefore, of the utmost importance that the letter sent last week by Carlos Sanz de Santamaria, chairman of CIAP, to the Presidents of the member countries of the Alliance for Progress, be carefully evaluated and given the highest consideration. CIAP proposes a reexamination of every phase of the Alliance for Progress and a new stress on trade policies, planning, regional economic integration and social development.

The letter lays heavy stress on extending worldwide commodity agreements to sugar and cocoa as a means of stabilizing world market prices in these vital commodities of the Latin American economy. It also calls for certain forms of preferential treatment by the United States in the form of tariff reduction for Latin American products in the United States market and for an end to "tying" U.S. economic aid funds earmarked for Latin American nations.

Finally, the CIAP letter calls for a special meeting of the Inter-American Economic and Social Council to coincide with the expected Inter-American Conference of Foreign Ministers in Rio de Janeiro scheduled for sometime this fall.

These recommendations require careful analysis in Washington and other hemisphere capitals. The President's actions today indicate that the United States is giving these recommendations sympathetic consideration.

With respect to the United States granting preferences to Latin American exports to the United States, my own personal feeling is that in line with the CIAP's request and the May 1963 GATT ministerial declaration the United States could now call on the industrialized nations of GATT to extend preferential treatment to specified Latin American exports.

In a statement of May 1963, the ministers of the contracting parties of GATT agreed that in the forthcoming GATT negotiations every effort would be made to reduce barriers to the exports of developing countries and that the more advanced industrialized countries would not expect to receive reciprocity from the developing nations.

The United States itself could take the lead by taking such a step, provided that the other GATT nations involved follow suit and that in exchange Latin American nations would agree to accelerate the process of Latin American economic integration in a competitive atmosphere. Low-cost, efficient, modern industries, established in regions which offer the best combination of accessibility of markets, resources, and trained manpower and ready to face competition from abroad, are the best assurance that competitive conditions would prevail during this process.

In view of the complex economic issues involved and in view of its special expertise in this field, I would like to see the whole issue of Latin American integration, and U.S. trade policies toward Latin America, carefully examined by the Joint Economic Committee at the earliest opportunity. This committee, and its Subcommittee on Inter-American Economic Relationships, of which I am the ranking Republican member, has a distinguished record in the field of Latin American economic affairs. In view of its responsibilities for the Nation's foreign trade policies, Congress should play a full and constructive part in any reconsideration of U.S. trade policies toward Latin America.

Mr. MOSS. Mr. President, I join the Senator from New York in his remarks about the development of the Alliance for Progress, in commemorating the 4th anniversary of the treaty which established this great effort to make the ties in the Americas stronger and more secure, and to lift the countries in respect to their economic development and educational development to a higher plane.

I take great pride in the progress we have made to date, recognizing that it has not been fully adequate, that we need to do much more, and that we need to explore additional ways to realize the noble ideals of the Alliance for Progress.

I call attention to one facet of the development in the Alliance for Progress. This is the country-to-country relationships that have been established on a voluntary and nongovernmental basis of cooperation and development between countries.

My own State of Utah has been paired with the country of Bolivia in South America. This relationship is developing in a very exciting and fruitful way. Already there have been exchanges which are bearing the fruits of cooperation and understanding between our countries.

In the past year a group of young students from Bolivia enrolled in what is called the 4-S program, which is the counterpart of our 4-H program in the United States. Those young people spent a considerable time in this country, and were helped by working with a group of our own young people.

We in Utah are endeavoring to arrange an exchange of young students of our own in the 4-H program with a group of young Bolivians.

On the 25th of the month a benefit has been planned at Utah State University, at Logan, to raise funds, on a private basis, in support of the young people in the 4-H group meeting with their counterparts in the 4-S group in Bolivia. Mr. Dale Peak is one of the leaders in this movement. I discussed the subject with him this morning.

I believe that the effort that is being made now contributes greatly to the program of development in the Americas. It shores up the Alliance for Progress.

I commend those who are making this great effort in my State as well as elsewhere in our relations with our South American and Central American neighbors.

Mr. JAVITS. Mr. President, I am grateful to the distinguished Senator from Utah [Mr. Moss] for his extremely helpful statement on this subject. I am deeply interested in the experience which he has described. I hope very much that other Senators will consider duplicating that experience in their States.

Mr. President, I call attention to the fact that in the Joint Economic Committee, of which I am presently the ranking Republican member, we have a Subcommittee on Inter-American Economic Relationships. I hope very much that in view of our responsibilities we may now initiate a series of hearings, which will be a fine frame of reference for the suggestions which the President has now placed on the highest and most authoritative level for the beginning of an American common market, patterned after the European Coal and Steel Community.

Mr. President, I ask unanimous consent that the following items concerning this subject be inserted into the RECORD at the conclusion of my remarks, the Alliance for Progress Weekly Newsletter of August 16, 1965; an editorial from today's Washington Post entitled "The Alianza's Fourth"; an article from Sunday's Washington Post by John Goshko and an article from August 15 issue of the New York Times by Richard Eder; as well as an Alliance for Progress press release summarizing the CIAP letter to the presidents of the hemisphere and the full text of that letter, which was signed by the distinguished members of the Inter-American Committee on the Alliance for Progress including Carlos Sanz de Santamaria, who heads the Committee—the famous CIAP—and Walt W. Roston, who represents the United States on the Committee.

I also ask unanimous consent that a copy of my Santiago speech of March 1964 as well as a copy of my Mexico City speech of April 1965—both dealing with a proposed Latin American Common Market—may be printed in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

ALLIANCE FOR PROGRESS WEEKLY NEWSLETTER

Four years ago, 19 Latin American nations and the United States signed the Charter of Punta del Este, creating the Alliance for Progress.

In that document, the nations pledged to undertake a 10-year, $100-billion program "to bring our people accelerated economic progress and broader social justice within the framework of personal dignity and political liberty."

In 4 years, the Alliance has built a record of solid accomplishment. Most noteworthy, perhaps, is the way the program has spurred the mobilization of Latin America's own resources for development.

The charter calls on the 19 Latin American partners to contribute 80 percent of the $100 billion required for the program—an average of $8 billion a year. This year, according to CIAP Chairman Carlos Sanz de Santamaria, Latin American investment in economics and social development will exceed $12 billion, 50 percent above the target set by the charter.

The United States is also fulfilling its pledges under the charter. Agency for International Development figures show that total commitments of U.S. assistance under the Alliance have reached $4.4 billion.

To date, AID figures show, U.S. funds have been used to: build more than 300,000 homes and 25,000 classrooms; provide about 800 mobile health units, hospitals and medical centers serving nearly 10 million people; construct more than 1,500 water and sewerage systems serving more than 20 million people; establish 120 savings and loans institutions in 9 countries; feed 22 million people, including 10 million children.

Of course, to measure the true impact of the Alliance, one must also consider the thousands of programs, costing billions of dollars, being financed entirely by the Latin Americans themselves.

Take education for example: Last week's newsletter reported that Mexico built 25,000 new classrooms between 1958 and 1964. Of these, 17,600 were built since the start of the Alliance.

Other examples abound: Like Mexico, Peru is now spending about 25 percent of its budget on education. Ecuador last year spent more on education than ever before in its history—$21.7 million, up $2.8 million over 1963. For the first time in Guatemala's history, the budget for the Ministry of Education exceeds the budgets of all other Government agencies. Honduras last year raised its education expenditures by 50 percent to $12 million. Chile in 1964 increased student enrollment by more than 100,000 pupils and has now placed nearly 75 percent of its school-age children in schools, compared with about 50 percent in the early Alliance years.

The partnership is producing results in other fields as well. Latin America's gross product increased 5 percent last year as per capita income advanced 2.5 percent, meeting the target set by the charter.

Nearly every country has taken significant steps to improve tax administration, and 14 have adopted fundamental tax reforms. These changes enabled central governments to increase tax receipts 11 percent from 1960 to 1963—a trend that likely was accelerated last year.

Planning has become a basic instrument for speeding economic and social development under the Alliance. Every country now has a central planning agency and the OAS Panel of Nine has evaluated development plans of nine nations.

In establishing CIAP, the Inter-American Committee on the Alliance, the nations created an effective multilateral organization to speed the drafting and execution of development plans, the mobilization of domestic and external resources, and the carrying out of basic economic and social reforms.

Progress toward economic integration, another major Alliance goal, is showing good results, particularly in Central America. Since 1960, the five nations of the Central American Common Market have eliminated 95 percent of the internal customs duties on products originating in the area, and have imposed a common external tariff on about 98 percent of the items in the regional customs classifications. With the help of a $35 million AID loan, a Fund for Economic Integration has just been established to finance regional infrastructure projects such as roads, telecommunications facilities, and power installations. The Central American Bank for Economic Integration is already settling local accounts in the area's new accounting currency, the Central American peso—at par with the U.S. dollar.

Despite political difficulties, the Latin American Free Trade Association has registered significant gains. Tariff cuts have been negotiated on more than 8,750 products, and intraregional trade last year topped 10 percent for the first time in history. Earlier this year, four leading hemisphere leaders drafted plans for creation of a Latin American common market in a move to accelerate the trend toward economic integration.

Industrialization is another bright spot. Mexico's industrial production climbed 12.9 percent last year, one of the fastest growing rates in the world. Private investment in the Mexican economy hit a record high of $1.43 billion in 1964, a 30-percent gain over 1963. In Venezuela, where industrial production climbed 11 percent last year, the Government has launched a 3-year program of industrial diversification and expansion. The program calls for investments totaling $550 million, mostly in the chemical and metallurgical fields. Last year Peru for the first time became an exporter of heavy machinery when it shipped a complete fishmeal processing plant to Panama. Argentina's Banco Industrial de la República and Brazil's Banco Nacional de Desenvolvimento Econômico have launched similar programs to spur the growth of small- and medium-sized industries.

Private individuals and citizens groups are providing more and more support in the effort to reach the goals of the charter. Colombia's Comité Privado de Desarrollo, a businessmen's group in operation only a year, has contacted 750 local and foreign organizations in an effort to increase investment. In Chile, the Students Federation, B'nai B'rith and the Boy Scouts are among the groups aiding President Frei's campaign to improve the nation's elementary school facilities. Peruvian university students are spending their vacations in the interior helping the nation's Indians learn to help themselves under a Peace Corps-type program sponsored by President Belaúnde.

U.S. and foreign groups are also playing an important role. The Partners of the Alliance program in the last year and a half has mobilized groups in 25 U.S. States to aid in Latin American economic and social development. The U.S. Credit Union National Association has helped Latin American groups in 6 nations to establish nearly 1,300 credit unions. The Pan American Development Foundation, created to enable individuals and corporations to play a direct role in the Alliance, has already raised contributions totaling $500,000 this year, up from $125,000 for all of 1964. The American Institute for Free Labor Development is assisting unions in 13 Alliance nations in planning projects, mainly in the housing field. ADELA, an organization of top international corporations, has invested more than $10 million in projects in Latin America.

But, for all this progress, Latin America is still beset by many of the problems that brought the Alliance into being.

While population is growing at about 3 percent annually, food production is increasing slowly, if at all. Last year 11 Alliance countries had a per capita food production index below that of a decade ago.

Although 14 countries have enacted some type of major agrarian reform legislation, implementation has been far too slow. An Inter-American Economic and Social Council report summarizes the situation like this: "Despite the legislation approved after 1961, to date very little has been accomplished in the field of concrete progress, especially in the matter of land redistribution, when one considers the magnitude of the agrarian problem facing Latin America."

Fiscal instability continues to hamper development efforts of many Alliance nations. Despite strong government actions to curb inflation, the cost-of-living index is expected to rise this year by 25 percent in Chile and by 40 to 50 percent in Brazil. In Uruguay, inflation this year will likely surpass the 38 percent increase recorded in 1964.

Despite recent agreements to stretch out international debt repayments of several Latin American nations, Alliance officials continue to be greatly concerned about the heavy burden of short- and medium-term debts, faced by a number of countries. Argentina, Brazil, Chile, Colombia, and Mexico face obligations totaling $1.9 billion in 1965, nearly exceeding the amount of external assistance projected under the Alliance.

CIAP Chairman Carlos Sanz de Santamaría believe the short-term nature of this debt indicates that two important changes are needed—"an effective external debt management policy on the part of the recipients" and "a policy of development financing, rather than export promotion through suppliers' credits, on the part of the lenders."

Trade continues to be one of Latin America's most pressing problems. Exports provide the foreign exchange to finance Latin America's development efforts. But over the past decade, the region's share of the world market has dropped from about 11 percent to about 6 percent.

Now, after two relatively favorable years, there has been a softening in the prices of several tropical products. This weakening, compounded by continued restrictions abroad on the volume of imports, is likely to have an adverse impact in several countries.

These problems, together with the lessons learned from the Alliance's successes, form the basis for a major reevaluation of the program. As the newsletter went to press CIAP sent a 20-page letter to all Alliance Presidents, calling for greater emphasis on trade and social development in the next phase of the program.

Industrialization: ADELA Investment Co. announced approval of eight new investments totaling $5.7 million in four Alliance nations. The new projects will raise the number of investments made by ADELA to 15 in eight countries, totaling $10 million. Overall investments in these ADELA-backed projects, including funds mobilized by local sources, will reach nearly $100 million.

ADELA was incorporated a year ago by United States, European, Canadian, and Japanese corporations with an interest in Latin American development. The undertaking now has the backing of 130 corporations. ADELA provides equity capital and debt-financing to private enterprises, which through their activities contribute to the economic development and social progress of their country and region.

Largest of the new investment commitments is in Brazil, where ADELA is investing $3 million in Papel e Celulose Catarinense, a manufacturer of kraft pulp and paper in Lajes.

ADELA is also investing $1.6 million in five Ecuadorian firms: Fertilizantes Ecuatorianos, South America, a Guayaquil manufacturer of sulfuric acid, ammonium sulfate and mixed fertilizers, $650,000; Acerías Nacionales del Ecuador, South America, a Guayaquil steel rolling mill $400,000; Ecuatoriana de Desarrollo, South America, a development financing company operating in Quito and Guayaquil, $300,000; Matadero y Frigorífico Guayaquil, South America, a Guayaquil slaughtering and processing plant, $150,000; and Cristalerías del Ecuador, South America, a Guayaquil manufacturing company of glass bottles, $100,000.

In Nicaragua, ADELA has agreed to invest $750,000 in the Nicaraguan Long Leaf Pine Lumber Co., Inc., a manufacturer of wood resin, turpentine and pine oil.

ADELA has also approved in principle an eighth project, calling for a $400,000 equity investment in Chile, subject to clarification of legal and tax aspects.

Prior to this group of projects, other ADELA investments have been approved in Colombia, Guatemala, El Salvador, Nicaragua and Peru. In addition to these operational commitments, all of them equity investments or loans with equity features, ADELA has also provided $11.5 million, in short- and medium-term loans to Latin American enterprises in Mexico, Colombia, Venezuela, Nicaragua, and Chile.

[From the Washington (D.C.) Post, Aug. 17, 1965]

THE ALIANZA'S FOURTH

Four years ago today, 19 Latin American countries and the United States signed the Charter of Punta del Este which created the Alliance for Progress. It is an appropriate day for taking stock of what has been accomplished during those 4 years.

The birth of the Alliance marked a historic turning point in the U.S. policy toward Latin America. Prior to Punta del Este, that policy was guided by the slogan of "trade, not aid"; it was a policy that relied on large scale private investment and the growth of international trade to supply the vital catalyst for sustained economic growth. But that policy was far too passive for a world torn by political instability and furious competition between rival ideologies. An active policy, one designed to stimulate economic growth in Latin America through a working partnership of the 20 governments was the only answer.

After 4 years of experience, it is not at all difficult for a critic to point out the cracks and fissures in the house that has been built. It can be charged, and with some justice, that the rhetoric employed in launching the Alianza gave rise to expectations that could not be reasonably fulfilled; that it has been difficult to push programs through the bureaucratic thicket in Washington; that the individual Latin American countries have been more interested in extracting the maximum volume of aid from this country than in drawing up sound plans or coordinating their efforts with other recipient countries.

These and other charges are not without substance, but they should not be permitted to obscure the very real accomplishments of the Alianza. At $12 billion, the Latin American investment in economic and social development is running 50 percent above the target level established by the charter. U.S. commitments for economic assistance have reached $4.4 billion. There has been some progress—although it is insufficient—in achieving monetary and fiscal reform in Latin America. And perhaps most important, the machinery has been established for a continuing program of economic assistance and cooperation.

What of the future? The Inter-American Committee on the Alliance, a ministerial group known as CIAP, has forwarded a number of valuable recommendations for change to President Johnson. Most of them are unexceptionable. U.S. aid to Latin America should be united, and as a first step, the recipient countries might be permitted to make purchases in Latin America, Canada, or Japan, transactions not likely to weaken markedly this country's balance-of-payments position. Where they have any likelihood of success, this country should become a party to additional commodity agreements aimed at stabilizing the prices of the tropical produce on which Latin America heavily depends for foreign exchange. Land reform and other programs designed to modernize rural life in Latin America are sorely needed.

The proposal for preferential tariffs, however circumscribed, is thoroughly objectionable. If this country, in violation of the principles of nondiscrimination, were to grant the Latin American countries preferential tariffs, it would be productive of little good. Imports of cotton textiles, the one class of products for which Latin America has a clear advantage, are restricted by quotas. The argument that Latin America must have U.S. tariff preferences because the Europeans discriminate against her in favor of their former African dependencies is a non sequitur. Latin American commodities are hardly affected by U.S. tariffs, and granting her preferences would do nothing to improve access to the European markets. In fact it might slam the door even tighter.

There is a story which is commended to all those who are so impatient or naive as to believe that there is an express train to rapid economic progress in Latin America. An admiring American guest asked his titled British host to tell him the secret of his magnificent lawns. "It's all very simple," replied his Lordship. "You must prepare the ground with great care, choose the right sort of seed, and wait a hundred years."

It will not require a century to uncover the formula for sustained economic growth in Latin America, but we ought to be prepared for a long haul, one in which progress is reckoned in decades, not in months or years. And over that longer haul the Alianza para el Progreso must be constantly strengthened by the infusions of fresh talent and new ideas.

[From the Washington (D.C.) Post, Aug. 15, 1965]

LATINS URGE FULL REVIEW OF ALLIANCE—PREFERENTIAL PACTS ON TRADE WITH U.S. PROPOSED BY PANEL

(By John M. Goshko)

An appeal for a top-to-bottom reexamination of the Alliance for Progress has been made to the Presidents of the 20 hemispheric nations participating in the 10-year program for Latin American development.

The proposal is contained in a 30-page letter, made public today, that was sent to each of the Presidents by the Inter-American Committee on the Alliance for Progress.

The eight-member Committee, commonly called CIAP after its Spanish initials, is responsible for overall coordination of the Alliance and for guiding the progress of individual member nations.

TIED TO ANNIVERSARY

CIAP's proposals were timed to coincide with the fourth anniversary Tuesday of the signing of the Charter of Punta del Este, which created the Alliance. It was forwarded to the Presidents by its Chairman, Carlos Sanz de Santamaria of Colombia. Also signing were the other members including the U.S. representative, Walt W. Rostow, counsellor of the State Department.

CIAP proposes that the Alliance lay heavy new stress on trade policies, planning, regional economic integration and social development. Its most potentially controversial suggestion is for a series of trade agreements that would give Latin America preferential treatment by the United States and end the tying of U.S. foreign aid to purchases made in the United States.

The letter calls for a special meeting of the Inter-American Economic and Social Council, CIAP's parent organization and the highest policymaking body within the Alliance.

The CIAP suggestion is that the Council meeting be scheduled to take place alongside the expected Inter-American Conference of Foreign Ministers in Rio de Janeiro. The Foreign Ministers' meeting, originally scheduled August 4, was postponed because of the uncertainties of the Dominican Republic situation.

A new date has not been set for the Foreign Ministers' Conference but there have been hints that it will be rescheduled for sometime in November.

VAGUE DISCONTENT

In calling for changes in the Alliance, CIAP is mirroring a vague but widespread discontent over the progress being made by the vast development scheme.

In many respects progress has been better than anticipated. For example, the charter calls on the 19 Latin nations to contribute 80 percent of the $100 billion required for larly, the United States, which indicated it the program—an average of $8 billion annually.

This year, Latin American contributions are expected to exceed $12 billion, 50 percent more than the charter's target figure. Similarly, the United States, which indicated it would support the Alliance to the extent of $1 billion a year, has fulfilled its pledge.

Even more significantly, the CIAP letter notes that during 1965 the Alliance, for the second straight year, is expected to achieve the charter's goal of a 2.5 percent per capita increase in Latin America's overall gross national product.

Yet, a feeling has persisted that the Alliance is not moving as fast as it should, that its accomplishments are often nullified by outside conditions and that its future aims are periled by political and economic instability.

To carry out its recommendations, CIAP proposes the creation of special task forces, to include both national and international technicians, charged with drawing up new plans and programs, especially in the social field.

REMEDIES PROPOSED

In hemispheric trade, the letter says that the "Alliance remains seriously endangered by weak or precarious prices or markets for certain traditional Latin American exports." As remedies it proposes:

A series of worldwide commodity agreements, similar to the International Coffee Agreement, for such items as sugar and cocoa. Such agreements would attempt to stabilize world market prices through quotas aimed at preventing overproduction.

Temporary measures to give Latin American products certain preferences in the U.S. market similar to those enjoyed by other underdeveloped countries in the European market.

A strengthened system of compensatory financing for nations that suffer from a fall in export earnings caused by factors beyond their control.

A call for the United States to review its policy of requiring Latin nations receiving U.S. aid to follow a buy American path. The CIAP suggestion is for a broadening of this policy to require that purchases be made either in the United States or Latin America.

The Committee asked the United States to modify in two important respects its trade and aid policies.

Pointing to the exclusive, favorable arrangements granted by European nations to African commodities, the Committee asked the United States to work out a pragmatic compensatory policy for Latin America.

The U.S. Government is sympathetic to the problem faced by the Latin Americans. The Latins find themselves at a disadvantage selling in Europe while the Africans find no disadvantage in the United States. Therefore the United States is considering a number of proposals. It was to these, rather than to a blanket Common Market-type arrangement that the Committee was referring.

The measures being considered include a tighter policing of coffee imports because African coffee is going beyond its quota. A compensatory sugar arrangement and a new effort to conclude a cocoa agreement similar to that in force on coffee.

The Committee also asked the United States to modify its policy of requiring dollar loans to be spent in the United States. A number of U.S. officials recognize this is often a cumbersome, expensive procedure and are considering possible changes.

SOCIAL AID RELATIVELY NEW

One Alliance official noted that whereas Latin American countries have considerable experience in managing and planning of loans for such things as electric power, lending for social projects is relatively new, and proper planning agencies are lacking. This has often resulted in a loan to an isolated hospital or housing project without regard for an overall health or housing program.

The Committee announced that it would begin an intensive effort to enlist technical assistance in the social planning field from the United States, the Inter-American Development Bank, and the International Bank for Reconstruction and Development.

After consultation in Washington, the Committee is prepared to send out committees to help countries work out strategies for health, housing, agriculture, and other fields. Instead of making the usual short visit, these committees are to remain, perhaps 6 months or more, until the strategies have been worked out and specific projects have been selected and prepared for financing.

[From the New York (N.Y.) Times, Aug. 15, 1965]

BACKING IS SOUGHT BY LATIN ALLIANCE—LEADERS ASKED TO HOLD TALKS ON DEVELOPMENT IDEAS

(By Richard Eder)

WASHINGTON, August 14.—The Inter-American Committee for the Alliance for Progress has written to the Presidents of the Latin American countries and to President Johnson to ask political backing for new moves in three important areas of economic and social development.

In its letters, which were made public today, the Committee asked that the Inter-American Economic and Social Council be called to meet in Rio de Janeiro at the same time as the Inter-American Conference, which is scheduled to meet before the end of the year.

The Alliance, a 10-year, $100 billion development program, was adopted by 19 Latin American countries and the United States at a conference in Punta del Este, Uruguay, on August 17, 1961.

The eight-member Inter-American Committee, headed by Carlos Sanz de Santamaria, which acts both as coordinator and promoter of the Alliance, recommended emphasis on three major points.

POLITICAL SUPPORT ASKED

In the first place, it called upon the Latin-American leaders to find a way to muster greater political support and popular understanding for their social and economic plans.

It suggested two principal areas in which this was necessary. One was planning itself, where it found that there should be more effort to involve business, labor, and education in the coordination of development. The other was in the fight against inflation.

Economists have seen a number of technically sound anti-inflation attempts fail because business increased prices or labor increased wages, not in response to present measures, but as a precaution against feared future measures.

The Committee said that there was a "critical need to bring about by political leadership at the highest level, a social compact among the major groups in the society" to regulate price and wage increases. "Without this political and social foundation it will be difficult to prevent and to end inflation in Latin America," it added.

ALLIANCE COMMITTEE PROPOSES NEW DIRECTIONS FOR LATIN AMERICAN DEVELOPMENT

WASHINGTON, D.C., AUGUST 15.—The Inter-American Committee on the Alliance for Progress, through its Chairman, Carlos Sanz de Santamaria, has sent a letter to the Presidents of the member countries of the Alliance for Progress, calling for important new emphasis in the 10-year hemispheric development program.

The letter, signed by Sanz de Santamaria and all seven members of the Alliance Committee, proposes new stress on trade policies, planning, integration, and social development programs under the Alliance for Progress.

The CIAP letter grew out of talks held by Sanz de Santamaria with hemisphere Presidents over the past year, and studies carried out by the Committee. It was drafted at the recent closed-door session of CIAP in Washington.

Pointing out that the Alliance is "seriously endangered by weak or precarious prices or markets for certain traditional Latin American exports," the CIAP letter proposes new commodity agreements along the lines of the World Coffee Agreement; transitory measures to compensate Latin American countries that suffer from trade preferences granted to developing countries outside the hemisphere; and a strengthened

system of compensatory financing for nations that suffer from a fall in export earnings for reasons beyond their control.

The letter also emphasizes the need for agricultural diversification and export promotion programs.

The CIAP letter calls on the U.S. Government to review its policy of tying Alliance assistance to purchases made in the United States. It proposes a means of partial untying which would require purchases to be made either in the United States or Latin America.

The letter emphasizes the need for improved national planning procedures. "Progress has been made in the planning process in Latin America; but we do not have enough stable, realistic, publicly understood and supported national plans, intimately related to the projects, institutions and to the national budget. Only on the basis of such plans can the resources of Latin America be effectively mobilized and the full potentialities of external assistance brought to bear."

CIAP gives support in the letter to the general layout of the proposals for regional economic integration made last April by Raúl Prebisch, Felipe Herrera, José Antonio Mayobre and Dr. Sanz de Santamaría. It presents the basis for new initiatives in multinational projects, regional investments in industrial activities, and regional financing agreements.

In the social section of its document, CIAP "focused on the problem of implementing those parts of the Charter of Punta del Este which promise to the peoples of Latin America more and better food; land reform and modernization of rural life; more and better housing; more and better education; more and better public health facilities."

The Committee stressed three steps necessary to step up the pace of social development; the elaboration of systematic programs, as opposed to ad hoc projects; the expansion of local institutions capable of carrying out such programs; and greater individual participation in, and contribution to, development programs.

Changes in land tenure—both latifundia and minifundia—remain in many cases an essential condition for fulfilling the goals of the Charter of Punta del Este, the Committee said. Improvements are also needed in levels of agricultural production and marketing facilities.

Major improvement is required in social fields such as housing, education and health, the CIAP letter said. Noting the high rate of population increase in Latin America, the letter reported that CIAP is currently engaged in population studies. Results of the study will be made available to member governments of the Alliance.

Implementation of the recommendations in the letter, CIAP said, depends on the development and training of technical staffs in Latin America capable of preparing projects and carrying out feasibility studies. "The simple fact is," the document said, "that we have more external project capital resources available for economic and social purposes than we are bringing to bear in the Alliance for Progress."

To carry out the recommendations, CIAP proposes the creation of special task forces, to include both national and international technicians, who would draw up plans and programs, particularly in the social field.

The CIAP letter calls for a special meeting of the Inter-American Economic and Social Council to consider its recommendations. Following that, it proposes that the next regular meeting of the Economic and Social Council conduct a full-scale review of the Alliance to draw up a balance sheet of problems and achievements in the first half of the development program's 10-year existence.

PAN AMERICAN UNION,
Washington, D.C., August 10, 1965.

The PRESIDENT OF THE
UNITED STATES OF AMERICA,
The White House
Washington, D.C.

MR. PRESIDENT: Taking into account the present situation of Latin America and the concern arising from recent developments in some countries of the Hemisphere, the Chairman of CIAP, on his own initiative, convoked a special meeting of the Inter-American Committee on the Alliance for Progress. Based on the experiences acquired in his visits to the countries of Latin America and on his contacts with the governments, he considered it appropriate that the Committee call attention to the most urgent problems that the Hemisphere is currently facing and to the means of joint action that could be adopted to solve those problems. He was also moved to call this meeting to give consideration to the suggestion he made at the Inter-American Economic and Social Council meeting in Lima regarding the need to begin a systematic review of the results of the Alliance, since we are nearing the midpoint of the time period established in the Charter of Punta del Este, to carry out this continental effort.

The meeting took place in Washington, July 23–26, and we believe it appropriate, Mr. President, to inform you directly of its results.

The members of CIAP do not act as officials of governments, nor can they take decisions on those matters which, by means of this letter, we bring to your attention. Consequently, in sending this letter to you and to the Presidents of the other countries participating in the Alliance for Progress, we have no purpose other than to stimulate an interchange of views on these matters and to provide a starting point so that the governments can make the decisions which they consider necessary in the coming months.

The nature and importance of the concepts which we forward to you are the justification which moved CIAP to address you and your government directly.

This letter summarizes the conclusions reached in our meeting, which have been approved (unanimously) by (the members of) CIAP. This letter refers to all of Latin America and for this reason characteristic situations referred to in some countries may not be applicable to others.

The Alliance for Progress is a going concern. There has been widespread forward movement on many fronts as the CIAP reports of October 1964 and May 1965 indicated. Although progress is by no means uniform among the nations of Latin America, it appears likely that for the second successive year the overall growth target of the Charter of Punta del Este will be achieved; that is, a 2½-percent per capita increase in gross national product.

The task of CIAP, however, is to help reinforce the efforts to solve problems that still await solution if the Charter of Punta del Este is to be accomplished. It is the judgment of CIAP that at this time a redoubled effort is required in the fields of economic and social action in order to avoid the spread of a sense of frustration which appears to exist in some parts of Latin America.

These pressures derive from various causes in different parts of the hemisphere. Among those causes are the following:

(a) The slowness of some countries in executing economic and social reforms designed to mobilize their internal resources and to bring about a sense of participation, social justice, and self-evident progress;

(b) The inadequate absorption of foreign assistance due, in part, to insufficient planning and project preparation, particularly in the field of social investment, and, in part, due to cumbersome aid procedures;

(c) The sharp deterioration of trade prospects, caused by weakened prices or markets for some products—cocoa, sugar, bananas—has tended to reduce or cancel the positive effects of aid measures, rendering more difficult stabilization efforts, reducing the rate of development, and creating hardships for certain population groups or regions.

It was against the background of this mixed assessment of our situation that the present meeting of CIAP was devoted not merely to stocktaking but also to beginning to chart the course ahead. In this effort we had the advantage of a number of specific propositions laid before us by the chairman.

We agreed that it was appropriate to take counsel together and to set down our thoughts on two matters: first, on certain problems, mainly of an economic character, where action is both urgently needed and possible; second, on the wider economic and social problems we must seek to solve if, over the whole span of the Alliance for Progress, we are to fulfill the injunctions of the Charter of Punta del Este. These relate, in particular, to: land reform and the modernization of rural life; housing; education; and public health.

This letter sets forth our present views on the implementation of the Charter of Punta del Este in its next phase, covering both sets of problems.

The agenda for action which emerged falls naturally, therefore, into two parts.

Our initial recommendations concern possible next steps in fields with which we have all become familiar: planning; monetary stabilization; external trade; regional economic integration; and improvements in the scale and quality of external assistance.

CIAP has examined these fields at length in its three reports[1] over the past year; and it has made extensive observations and recommendations we would still hold to be valid. On this occasion we wish to call your attention only to certain specific and urgent items of action, where forward movement is possible but requires prompt political decision and initiative at the highest level, in order to fulfill better the commitment to the Charter of Punta del Este.

1. THE ACCELERATION OF NATIONAL PLANNING

Our common vision of the Alliance for Progress calls for long-range national plans—commanding the full support not merely of governments but of the major sectors of each society, supported by long-term loans on a stable basis, including program loans.

These are the essential framework for bringing the nations to a position of self-sustaining growth, where progress can be supported without recourse to special external assistance.

Progress has been made in the planning process in Latin America; but we do not have enough stable, realistic, publicly understood and supported national plans, intimately related to the projects, institutions and to the national budget. Only on the basis of such plans can the resources of Latin America be effectively mobilized and the full potentialities of external assistance brought to bear.

CIAP considers it quite important that the countries of Latin America examine the possibility of accelerating and strengthening the national planning process in its technical institutional, and political dimensions. The flexibility afforded by program lending can be a powerful instrument for development and institution building; but it demands the prior existence of serious national programs (even if not necessarily fully elaborated

[1] CIAP/71, Rev. 2; CIAP/178; CIAP/219, Rev.

plans) and the national consensus necessary to give them life.

In connection with planning, action should be taken to organize in Latin America working sessions which would regularly bring together for relatively short periods (4 to 6 weeks) politicians, industrialists, leaders of worker and farm organizations, and economists to consider the problems and possibilities of national and regional economic planning. The lack of a common understanding among these groups is a major weakness in the Alliance for Progress which such sessions might help to remedy.

2. INFLATION AND POLITICAL LEADERSHIP

Inflation remains an enemy of economic and social progress; a disrupter of national plans; and one major block to regional integration. In this connection, it should be noted that some countries are now in a delicate stage of their stabilization process requiring both a steady flow of external assistance and measures to prevent deterioration of their trade position. We have analyzed and made technical policy recommendations designed to prevent and halt inflation. We would call to your attention, in addition, the critical need to bring about, by political leadership at the highest level, a social compact among the major groups in the society which would relate wage policy as a whole to the average national increase in productivity, while correcting the inequitable aspects of the wage structure; which would commit industry and commerce to avoid anticipatory price increases under the pretext of possible or even inevitable price increases; and provide the widespread political understanding necessary to permit governments to conduct effective counter-inflationary policies. Without this political and social foundation it will be difficult to prevent and to end inflation in Latin America.

3. TRADE POLICY

The Alliance for Progress remains seriously endangered by weak or precarious prices or markets for certain traditional Latin American exports. Remedy must be found by simultaneous action in various fronts.

(a) *Commodity agreements*

The Coffee Agreement is emerging as a model of what may prove possible if producers and consumers are prepared to cooperate. It includes provision for realistic quotas; for built-in quota flexibility designed to assure the producer stable and remunerative prices while also being fair to the consumer; internal prices which do not encourage overproduction; strict production controls; effective measures by consuming countries to assist in enforcing marketing discipline; and commitments to diversification.

It is in the interest of the Alliance for Progress as a whole, and indeed, the whole world community, that the Coffee Agreement be reinforced. We recommend for consideration by its members the development of a special fund designed to facilitate the production control and accelerate the diversification features of the Coffee Agreement.

The state of the prices and markets for sugar and cocoa make it urgent that effective, disciplined commodity agreements engaging producers and consumers, be sought in these fields. What is needed is international action to organize world commodity markets to reduce short-term price fluctuations and to achieve more favorable prices as a partial answer to some of the trade problems of Latin America.

(b) *Transitory, compensatory measures against preferences outside the hemisphere*

Latin American countries and the United States are committed to the principle of nondiscriminatory treatment for developing countries in their trade relations with the industrial nations. This principle is consistent with the position taken by the Latin American countries in their request for generalized preferences at the UNCTAD Conference in Geneva and in the Declaration of the Charter of Alta Gracia of April 1964, and does not conflict with the traditional most favored nation policy of the United States. We believe this principle remains sound as a working longrun objective. The fact is, however, that since the UNCTAD meeting the movement outside the hemisphere has been toward more rather than less preferences in trade, particularly in relation to tropical products. This tendency is damaging the prospects for the Alliance for Progress. Therefore, although we are opposed to the creation of spheres of influence, we commend for urgent consideration, a policy of transitory, defensive measures to compensate for such preferences. It is inequitable for the products of some of the developing countries to enjoy preferences outside the hemisphere plus nondiscriminatory access to the U.S. market. A policy to compensate for such discrimination against Latin America should be worked out pragmatically, on a commodity-by-commodity basis, with provisions which would facilitate return to nondiscriminatory trade as discriminating practices are removed elsewhere.

(c) *Compensatory financing*

In the short run, it is urgent for the Executive Board of the International Monetary Fund to clarify the ambiguities surrounding the so-called floating tranche. Toward this end it is recommended that it be discussed at the forthcoming meeting of this organization. This tranche is designed to supply additional automatic assistance to developing nations suffering from a fall in export earnings for reasons beyond their control. It is our view that the claim on such compensatory short-term resources should be automatic, when the facts are established; and the assistance should be additional to that provided under other circumstances, by criteria which apply to normal quota drawings.

In the long run, we must look in two directions: first, to the system of compensation being studied by the IBRD; second, to the expansion of liquidity (means of payment) in the international monetary system to deal with such short-run fluctuations in foreign exchange earnings. It is evidently time for the nations of Latin America to clarify and formulate their own interests and proposals in any reorganization of the international monetary system. As a result of proposals laid before the present CIAP meeting by the Chairman, it was agreed that he initiate studies, on the basis of expert opinion within and outside the hemisphere, to this end.

(d) *Agricultural diversification and export promotion*

We would underline strongly that efforts to protect the foreign exchange earnings of traditional Latin American exports will fail unless production is guided by effective programs of agricultural diversification (which are, in any case, required to increase food supplies); and that Latin America will not be able to generate the foreign exchange it requires unless exports are effectively promoted in nontraditional fields, both industrial and agricultural. In both cases, attention to market expansion is of critical importance. We urge that the priority accorded these sectors be elevated in Latin American economic planning and policy and we would note that untapped project resources exist in the external financial agencies, notably in support of agricultural diversification and the promotion of exports of agricultural and manufactured products.

4. EXTERNAL DEBT

The problem of external debt in Latin America is not one of debt service beyond the financial capability of the region, but rather one of heavy amortization payments which a limited number of countries have to make in the next few years. This situation has already been reviewed at some length in Document CIAP/170, "CIAP Policy Statement" on "The State of the Alliance for Progress and Prospects for 1965." In part, the problem results from inadequate control, in the past, in contracting external debt. But equally important factors have been the tendency in certain lending countries to furnish supplier credits to increase their own exports, and their inability to adjust to loan policies which would have assured more appropriate terms for Latin America's development and its capacity for debt service.

To correct this situation, consolidation of existing debt under longer and easier terms than those originally established is essential; but this measure alone is not sufficient. The debtor countries must be prudent and restrain themselves, by means of an effective system of discipline, in contracting new short- and medium-term debts; they must also make the greatest effort to meet existing obligations; and to adopt monetary and development policies which will facilitate access to long-term international financing. These efforts must be complemented by the adoption, in the creditor countries, of a credit policy appropriate for development as well as for export promotion. Credit terms must be in harmony with the financial capability of the country and its ability to earn foreign exchange. Short-term loans should not be agreed to when it is obvious from the beginning that in time it will be necessary to renegotiate them. It is also opportune to request creditor countries to eliminate restrictive commercial policies which prevent debtor countries from earning the foreign exchange needed for external debt service.

5. INTEGRATION

In CIAP/219 of May 1965 we underlined the convergence and mutual reinforcement of policies of national development and internal market expansion; export diversification; and regional integration. Since that time Raul Prebisch, Felipe Herrer, José Antonio Mayobre, and Carlos Sanz de Santamaría have addressed themselves to the Latin American presidents in support of regional economic integration; and the Government of the United States has clearly reaffirmed its support for effective Latin American economic integration. We wish to express to you our collective support for the general position taken in that report by four Latin Americans mentioned above.[2] The larger nations of Latin America, which might find in time a basis for mature industrialization through national development and conventional trading arrangements, nevertheless have a major stake in Latin American regional integration. But the fate of the smaller nations (and the pace of development throughout Latin America) depends vitally on a decision to go forward boldly together, in regional groupings such as the Central American Common Market or in other subregional groupings within the larger framework of regional economic integration. The trade aspects of the integration movement are dealt with mainly by other organizations which should be supported. CIAP has focused principally on certain investment and financial aspects of the integration movement. We believe this work should be carried forward urgently on the following fronts:

(a) Multinational projects to develop the region's infrastructure, notably in the fields of multinational highway construction, telecommunications, shipping, and port development.

(b) Multinational development of river basins, irrigation works, and power projects.

[2] Proposals for the Creation of a Latin American Common Market. Mexico, April 12, 1965.

(c) The development of more rational patterns of regional investment in industrial fields where economics of scale can be applied to advantage, such as chemical fertilizers.

(d) Acceleration in the development of Latin American regional financial arrangement, via the central banks, designed in particular to facilitate the movement of intraregional trade. We have requested our Chairman to explore the possibilities of support by governments of the hemisphere and the external financing agencies for a revolving fund which would finance project preparation and feasibility studies related to regional integration, the fund to be replenished from the loans flowing from these studies.

6. EXTERNAL ASSISTANCE

(a) We believe the time has come for the Government of the United States carefully to review whether the tying of its assistance to Latin America under the Alliance for Progress is required on balance-of-payments grounds. The overall Latin American contribution to the U.S. balance-of-payments deficit was always small—if, indeed, it was a factor at all. Recent official statements indicate that the U.S. balance-of-payments position has improved, although it remains to be seen if this improvement can be sustained. On the other hand, the tying procedures are cumbersome and reduce the contribution U.S. assistance could otherwise make to the Alliance for Progress. One form of partial untying might be considered; that is, to free U.S. loans and grants for purchases either in the United States or elsewhere in Latin America. A provision of this kind, already incorporated in the operations of the Inter-American Bank and, for a narrower region, in the recent loan to the Central American Bank for Economic Integration, could contribute substantially to the development of intraregional trade and to the integration movement in general.

(b) The Chairman of the CIAP has been informed that the U.S. Government has agreed to review in detail, with members of the CIAP staff, current AID procedures with a view to seeing what changes in those procedures (including, for example, those related to advance procurement and the 50–50 shipping clause) and in action by recipient governments might make the flow of external assistance from the United States more prompt and efficient.

CIAP views with satisfaction the growing interest demonstrated by certain countries of Western Europe, Canada, Japan, and Israel, in the economic and social development of Latin America. These countries have begun to participate in the annual reviews conducted by CIAP and in the consultative groups organized by the IDB, as well as in a series of technical assistance and training projects. It is hoped that this tendency which strengthens the multilateral sense of the Alliance will be matched by a more liberal attitude on the part of the more developed countries of Latin America so that they may provide, in the future, financial or technical assistance to other countries of the region.

The second part of our deliberations focused on the problem of implementing those parts of the Charter of Punta del Esta which promise to the peoples of Latin America more and better food; land reform and the modernization of rural life; more and better housing; more and better education; more and better public health facilities. As we all know, the governments of Latin America and the external agencies committed to their assistance have undertaken many measures and projects in these fields since 1961.[3] And the fresh resources available to the IDB under the Expanded Fund for Special Operations assures the continuity of these efforts. But we are convinced that, as the Alliance for Progress unfolds, increased emphasis must be given to these dimensions of our common commitments under the Charter of Punta del Este. We must all do more. And we must do it better.

How can this be done? On the basis of our common experience thus far we must proceed in terms of three principles.

First, we should attempt to develop systematic programs as opposed to ad hoc projects in these fields. These are required to provide adequate benchmarks of performance and a better basis for allocating marginal resources as between social and more directly economic investments. Second, we should seek out, stimulate, and expand local institutions capable of carrying forward these enterprises. Third, we should build these enterprises to the maximum possible, on the principle of individual participation and contribution, rather than solely on the receipt of benefits and assistance either from the local government or from foreign institutions.

Men do not feel the full impact of development unless they participate and contribute personally to the process.[4]

Within these broad principles, observations on each of these four fields of economic and social progress follow:

1. THE MODERNIZATION OF RURAL LIFE

In talking of the modernization of rural life we are considering the environment of about 50 percent of the people who live in Latin America. The working agenda under this heading, therefore, has many dimensions each, in itself, immensely complex. The major elements of an Alliance policy to accelerate the modernization of rural life appear to be the following:

(a) Changes in land tenure (both latifundia and minifundia) remain, in regions of many Latin American countries, an essential condition for fulfilling the Charter of Punta del Este. The whole machinery of the Alliance for Progress should be geared to helping governments achieve such structural reform with equity and efficiency and in ways which achieve an increase in agricultural productivity.

(b) The encouragement of agricultural policies by governments which afford the farmer a fair and reliable price for his product.

(c) The expansion of production and distribution at fair prices of chemical fertilizers, on a national, and, if possible, on a regional basis, including an expansion of fertilizer loans to cover the interval until Latin American fertilizer resources are more fully developed.

(d) The expansion of agricultural extension and credit, especially to the small farmer, as well as credit for land reclamation and irrigation projects. Agricultural development banks have a particularly important role to play in carrying forward these policies.

(e) The modernization of urban-rural marketing, including feeder roads, transport, storage, food processing, etc.

(f) Support for and the development of institutions which combine elements which assure a fair price to the farmer; credit; fertilizer; seeds, etc.; and modern marketing facilities. These institutions may take the form of producers' cooperatives, food processing firms, large commercial farming ventures, etc.

(g) The linking of urban and rural life by programs of popular cooperation and community development of the type now being successfully pursued in some countries of the area.

2. HOUSING

An expansion in housing construction in Latin America could serve two purposes: First, to help meet one of the region's most urgent social and human needs; second, to absorb in useful employment substantial numbers of those who are underemployed or without jobs, while exploiting the fact that building materials are mainly local, involving little requirement for foreign exchange.

Some of the most hopeful recent developments in housing in Latin America involve institutions which encourage local citizens to put up their own money to help finance the construction of housing. External resources are contributing and could do more to develop and strengthen such institutions. We require a systematic search in each Latin American country for such institutions, both rural and urban, that the Alliance for Progress might back.

But many Latin American families, urban and rural, cannot save enough to participate financially, on a substantial scale, in these programs. The Alliance for Progress encourages the allocation of additional public funds and external resources to provide housing for families of low income on terms which they can afford, even though the beneficiaries cannot through their own savings meet all of the costs of improved housing. Maximum encouragement should be given in such programs to self-help and mutual aid efforts, as a form of contribution by the ultimate beneficiaries.

In both approaches, much needs to be done to reduce the high cost of housing construction through research in new and less costly building materials which can be found locally and which save foreign exchange, and through innovations in housing design and construction methods.

Housing is only one aspect of the problems created by the explosive growth of Latin America's cities. Inadequate social, economic, and administrative services threaten to prevent the major urban areas from fulfilling their function as the centers of growing industrialization. Improved planning for the orderly expansion of cities is indispensable, as well as the improvement of their financial and administrative institutions.

3. EDUCATION

The educational institutions of Latin America have been created and are being developed not merely to fulfill certain functional purposes in their societies, but to carry forward the whole rich stream of national, regional, and universal culture. Nevertheless, as the process of modernization proceeds rapidly in Latin America, the educational institutions are being reshaped to meet the practical changing needs of Latin American society. It is our conviction in CIAP that under the Alliance for Progress this trend should be reinforced.

As part of development planning, we must in the years ahead encourage more systematic programs of education; we should support key pathfinding educational institutions within Latin America which are likely to set patterns for the future; and, in this field above all, external resources

[3] Roughly $892 million have been lent or granted to Latin America in these fields in the period since 1961 by the Inter-American Bank (including grants under the Social Progress Trust Fund); and $750 million by the U.S. Government (including Public Law 480 grants and loans but excluding Export-Import Bank loans). The IBRD has also made an increasing contribution in these fields.

[4] The following wise passage in the Encyclical Letter of Pope John XXIII (Mater et Magistra) should, perhaps, be noted (151): "Special effort must * * * be made to see to it that workers in underdeveloped areas are conscious of playing a key role in the promotion of their personal socioeconomic and cultural betterment. For it is a mark of good citizenship to shoulder a major share of the burden connected with one's own development."

must be woven into the fabric of local initiative, contribution, and participation. It is proper to continue to encourage and support the training of students in other Latin American countries, in the United States, and Europe, notably in critical fields related to modernization and development. But the primary objective should be the development of more first-rate Latin American educational institutions.

At the present time the Latin American universities could contribute even more to the development of their countries and to the achievement of Alliance for Progress goals than they already contribute. They could prepare more highly qualified planners, educators, economists, specialized industrial engineers, scientists, and social scientists, and administrators. They could conduct more research projects bearing directly on the economic and social development of their countries and the region as a whole. To do this, the quality of research and instruction in the universities and the capability for dispassionate scientific inquiry will have to be improved as well as the physical facilities, particularly with respect to teaching aids, laboratories, and libraries.

Concerted efforts are required to develop projects in these fields to use available funds which are not fully tapped. The curriculum of at least one university in each of the countries of Latin America should be directly related to national planning efforts so that the country's needs for trained professional manpower can be met at both the graduate and undergraduate levels, with Latin American personnel.

Looking beyond the universities, education is the source of the manpower which will fulfill—or fail to fulfill—the requirements of national development plans. Traditionally there has been little communication between educational planners and economic development planners. The CIAP country review process should be used to encourage this essential communication and linkage. Therefore, we should seek, in the 1966 country reviews, a systematic examination of the mutual consistency of education and other manpower training programs and economic development plans.

4. HEALTH AND POPULATION

Acting in terms of the Charter of Punta del Este, we in the Alliance for Progress must work on the principle that those born into the world deserve the fullest opportunity for their physical and mental development, bearing in mind that those ill-fed up to the age of 6 are permanently limited as members of society. We must, therefore, look to the expansion of public health institutions of every kind, including programs of child feeding. As in other fields of social investment, much has been going forward in recent years out of resources generated within Latin America and through the assistance of external financial agencies. What is required here, as elsewhere, are systematic efforts geared to the national development plans themselves. Certain Latin American countries face problems due to the rate of population increase in relation to the increase in their economic and social infrastructure. CIAP is now engaged, as a result of decisions taken at its meeting of May 1965, in studies of the population problem in Latin America. It will make available its conclusions and recommendations to the governments when those studies are completed.

5. A GENERAL PROBLEM: LOCAL INSTITUTIONS TO DEVELOP PROJECT PREPARATION AND FEASIBILITY STUDIES

The simple fact is that we have more external project capital resources available for economic and social purposes than we are bringing to bear in the Alliance for Progress; and feasibility studies remain a major bottleneck, even in the more advanced countries of Latin America. The weakness is particularly pronounced in the four social and economic fields examined above. The use of foreign firms to do ad hoc project preparation and feasibility studies is often expensive, inadequate, and generates widespread local resentment. We should concentrate, therefore, on measures to expand public and private institutions in Latin America capable of turning out a flow of first-rate feasibility studies. This means strengthening the feasibility study capacity of government department, including the provision inside those departments of foreign experts on a technical assistance basis when they are needed. It also means encouraging the development of local private feasibility study firms—including firms which combine foreign and local capital and talent. Investment in this kind of institutional development in Latin America should, in the next several years, be a major item of concern both to Latin American governments and to external financing agencies.

6. THE FINANCING OF SOCIAL INVESTMENT

The resources available for investments of the type discussed above depend critically on three factors: public savings; private savings (notably with respect to housing); and the scale and terms on which external resources are available.

The expansion of domestic resources, in turn, demands the fulfillment of the common commitment to tax reform and improved tax collection, against the background of regularly rising levels of gross national product. In addition, public resources should be freed for these investments by systematic programs to improve the efficiency of public corporations which, in many Latin American countries, now lay a heavy claim for subsidy on tax revenues.

With respect to the terms of external assistance, there is a prima facie case for flexibility in the proportion of local contribution required. The overall level of income and the potential level of tax revenues are relevant to a sound judgment, as well as the character of the particular project under examination. We commend to the external financing agencies, in the course of the reviews proposed in the following paragraph, a careful reexamination of the arrangements governing the proportion of local funds required to match external grants and loans in these fields of social investment.

In order better to come to grips in a practical way with these four fields of economic and social action, the chairman of CIAP will seek the collaboration of the various financing and technical assistance agencies to set up immediately committees in each field to examine current policies and programs. Having assessed what is now going forward and what steps the external agencies might themselves take to accelerate these programs, CIAP will be prepared to organize multilateral teams, where they are desired, to work intensively with the authorities and experts in particular countries to generate new projects and to strengthen local planning agencies and institutions.

What is the relation between the two parts of the working agenda we propose?

First, without success in meeting urgent problems of planning, capital formation, price stabilization, trade, market integration, and external assistance, it seems unlikely that Latin America will command the capacity to fulfill on the requisite scale the promise of the Charter of Punta del Este to the peoples of Latin America in these crucial fields where we seek the welfare of man and the community.

Second, properly conducted, the social and economic dimensions of the Charter of Punta del Este can be made substantially to converge rather than to compete. More effective action under the headings of the second part of the agenda could contribute to the expansion and modernization of the Latin American economies as well as to meeting deep social and human needs.

The modernization of rural life promises, for example, not merely more and better food but industrial raw materials, expanded exports, and enlarged national and regional markets.

Expanded housing programs promise not merely to fulfill an essential human requirement but to achieve a reduction in unemployment and partial unemployment, as well as an enlargement of private savings and a favorable change in consumption habits.

Properly designed education programs not only enlarge the capacity of men and women to develop their talents and perceptions, they are the human foundation for modernization of every aspect of life.

Improved health measures not only prolong and protect the quality of life, they are the basis for an effective working force.

Third, we may be able to set in motion more effective action sooner in some aspects of the economic program outlined in the first part of this letter; but we are conscious that we must begin now to put renewed emphasis on the social part of the agenda, which was given prominence in the Act of Bogotá, if we are to achieve in the later years of the Alliance the scale of effort required to meet the standards of the Charter of Punta del Este.

Specifically, CIAP recommends that at the extraordinary meeting of the Foreign Ministers, scheduled to take place in Rio de Janeiro before the end of 1965, there take place a meeting of the Inter-American Economic and Social Council, starting shortly before and running concurrently with the Foreign Ministers' session. By that time the governments will have had an opportunity to consider our present recommendations and to formulate their own ideas. As noted earlier, CIAP plans to conduct further intensive staff work on these problems between now and the Foreign Ministers' meeting, and to present those results to the Inter-American Economic and Social Council, should that concurrent meeting be convoked. We shall also have the benefit at that time of having completed and assessed the full round of CIAP country reviews which have just begun.

CIAP also suggests that the scheduled regular meeting of the Inter-American Economic and Social Council in Buenos Aires might begin on the fifth anniversary of the launching of the Alliance for Progress, March 13, 1966. That regular meeting, against the background of the earlier discussions and deliberations, should be in a position to lay out firmly and in detail the lines of policy we should all seek to follow in the next phase of the Alliance for Progress. CIAP will try to prepare for that regular meeting a detailed analysis of what has transpired in the Alliance in its first 5 years as well as concrete recommendations for consideration by the ministers, in the light of the discussions and resolutions at the Rio Conference.

In addition, we would recommend that, in preparation for the Buenos Aires meeting, each of the governments signatory to the Charter of Punta del Este review and assess its own performance and problems encountered over the first 5 years in seeking to fulfill its commitments, in order to provide a basis for policy recommendations covering the next phase of the Alliance for Progress.

We would wish, Mr. President, finally to express to you our deep confidence that, whatever the magnitude of current problems and the task ahead, the Charter of Punta del Este reflects the active will of the peoples of our hemisphere; that the Alliance for Progress can and will succeed; and that, as a result of this unique multilateral experience, the nations of Latin America shall emerge in the years ahead with the capacity

to sustain economic growth, under conditions of increasing social justice, out of their own human and material resources, without the need for abnormal external assistance.

We can already begin to see within the hemisphere the more advanced Latin American nations helping the less advanced. A truly multilateral sense of responsibility and participation is spreading and must be encouraged. Our institutions for the multilateral examination and evaluation of national development plans must be strengthened as well. If we persist with courage and faith, we shall build a community among us, including a Latin America whose economy is increasingly integrated, that can meet the tests of progress and interdependence which life in this century demands.

Respectfully,

Roberto de Oliveira Campos, Member; Luis Escobar Cerda, Member; Rodrigo Gómez, Member; Jorge Sol Castellanos, Member; Roque A. Carranza, Member; Ezequiel González Alsina, Member; Walt Whitman Rostow, Member; Carlos Sanz de Santamaría, President.

THE AGE OF THE GOOD PARTNER: A PROGRAM FOR THE AMERICAS

(NOTE.—The following are the remarks of Senator JACOB K. JAVITS, prepared for delivery at the 10th Plenary Assembly of Businessmen of the Americas, sponsored by the Inter-American Council of Commerce and Production in Santiago, Chile, Monday, March 16, 1964, at 1 p.m.)

The questions that must be answered by the governments and responsible elements of the Western Hemisphere in the next few years are whether we are capable of understanding the social and political ferment which now pervades the hemisphere and whether we are ready to deal with this ferment by making the necessary and sustained adjustments to satisfy the just aspirations of its peoples. How can we—acting together—bring about economic and social change within a democratic framework? Not only the United States future relations to the hemisphere but the future of each nation of the hemisphere depends on the answers to these questions.

Accordingly, I propose that the policy of the good partner should succeed the policy of the good neighbor, in the relationships between the United States and the other American Republics. To implement this policy, I suggest for your consideration an economic program for the Americas, consisting of two major parts: (1) A basic revision of the trade relations among the Latin American Republics on the one hand, and between the Latin American Republics and the United States and Canada on the other hand, leading to a Latin American common market and a Western Hemisphere free trade area; and (2) a new role for the private enterprise system in the development of the Americas—a new social direction, with broader responsibilities and commensurately broader opportunities for success.

We all know that in developing countries the political framework within which economics and society operate tends to determine the success of even the most auspicious efforts. I suggest, therefore, that the program which I propose needs to be espoused by the democratic, progressive, and non-Communist parties of the American Republics.

Great and fundamental changes are taking place in every part of the world which critically affect the future plans of the hemisphere. The nuclear stalemate between the United States and the Soviet Union has lessened the chances of war but increased competition between the two systems in trade, aid, and culture. Longstanding tensions existing between China and the U.S.S.R. over the leadership of the Communist movement have come out into the open for all to see and have considerably weakened the effectiveness of Communist parties everywhere. Nationalism, a desire for self-determination, is causing many nations now undergoing the process of economic development to seek their own direction outside the shadows of the two power blocs. Western Europe is fully recovered, the European Common Market is a reality and France under General de Gaulle has embarked on an effort to create a third force.

In the Western Hemisphere, the centuries-old lethargy toward social injustice, poverty, feudal land systems, hunger, and disease is giving way to an insistent demand for political and social reform and economic improvement.

The response of the inter-American system to this demand, although at first long delayed, has been by no means ineffective. Within the space of 4 short years, there has been brought into existence a new system of inter-American cooperation for economic and social development—the Act of Bogotá, the Central American Common Market, the Latin American Free Trade Association, the Inter-American Development Bank, and the Alliance for Progress.

Despite criticisms which may be leveled against some aspects of its implementation, the Alliance is already achieving one of its fundamental objectives—to create an awareness throughout the hemisphere that comprehensive and well-planned social policies and reforms are essential to achieve accelerated economic development in a democratic framework. The new atmosphere created by the Alliance appears also to be exercising a major influence on the internal politics of a number of Latin American countries.

Another encouraging step was the establishment, at the Second Annual Meeting of Ministers of the Inter-American Economic and Social Council last November, of an Inter-American Committee on the Alliance for Progress (CIAP) to coordinate and promote the multilateral implementation of the Alliance. The establishment of CIAP represents a development of historic importance to Latin America, similar to the OEEC, which played such an important role under the Marshall plan in the recovery and unification of Western Europe. Indeed, even today, as I speak here, the President of the United States and the Latin American diplomatic community are celebrating the installation of CIAP, and the third anniversary of President John F. Kennedy's first call for the Alliance for Progress at the White House in Washington, D.C.

The great unfulfilled tasks, however, do not permit a pause over what has been achieved. Gains which have been made in Latin America in the formulation of development plans, in economic integration, and in increasing the economic well-being of millions of people, will now have to be followed by further progress in education, health, industrial development, housing, and institutional reforms of all kinds.

The hemisphere must now turn its attention to the future and take the next steps necessary to give new impetus to the gains already made in its economic development.

First, we must accelerate the process of regional economic integration.

The Latin American Free Trade Association and the Central American Common Market are clear evidence that the idea of continentwide economic integration can become a reality in the foreseeable future. In its brief period of existence, LAFTA, which includes 82 percent of Latin America's population and 78 percent of its income, has closely adhered to its schedule of tariff reductions, resulting in a significant increase in intraregional trade: up 37 percent from 1961 to 1962. The Central American Common Market is much smaller than LAFTA—with a population of 12 million as compared to 180 million for LAFTA, and an estimated total GNP of $2.3 billion as compared with an estimated $55 billion for LAFTA. But during its as yet short life, the Central American Common Market has eliminated trade barriers on about half of the trade of member countries, standardized external tariffs on most commodities, launched a regional development bank, set up machinery for resolving disputes arising among its members, and just last month, established machinery for a Central American Monetary Union as a base for eventual monetary unification. As a result of the activities of the CACM the members' trade with each other has increased from 3 percent of their total trade in 1958 to 11 percent in 1962. The members still do well over 70 percent of their trade with Europe and the United States.

Undeniably, many problems remain before the broader aims of Latin American economic integration are fully realized. LAFTA faces important difficulties in negotiating further tariff concessions, in creating a common market in specific complementary industries within the region, in creating an adequate inland and ocean transportation system and in providing adequate financing for its foreign trade. The CACM, in turn, is faced by problems arising from the existing inequalities in the development levels of its member countries and their dependence on primary commodities for the bulk of their export earnings.

The resolution of these problems, in my view, can best be effected within the framework of a genuine Latin American Common Market, within which goods, persons, and capital can move more freely and which would comprise the nine countries of LAFTA, the five-nation CACM as a unit, plus Venezuela, Bolivia, Panama, and certain of the Caribbean countries. With the emergence of a common external tariff and a phased, across-the-board removal of tariffs on intraregional trade, there would emerge in such an arrangement a mass market of 220 million with a combined annual GNP of between $70 and $80 billion, $18 billion in foreign trade, and $2.5 billion in gold and foreign exchange reserves. Such a common market with a unified commercial policy would greatly increase Latin America's leverage with the industrial countries of the West in the field of trade. It would also provide a powerful pull on private capital from the United States, Western Europe, and Japan which is essential for Latin America's rapid industrial development. It would permit the establishment of a rational regional transportation system, in coastal shipping as well as inland road and rail transportation. It could provide a great stimulus to economic growth through the strengthening of competition in the region, and the expansion of additional local manufacturing. Further diversification in production in domestic manufacturers would help to reduce Latin America's dependence on the exportation of primary commodities.

The United States could provide a major impetus to the creation of a Latin American Common Market by offering to LAFTA and CACM a unilateral reduction in U.S. tariffs on simple manufactures and semimanufactures imported from Latin America in exchange for a speedup in the rate of the integration schedules of LAFTA and CACM, and effective safeguards for new foreign investment. The extension of unilateral tariff concessions to developing nations on this basis would be preferable to proposals now being advanced by developing nations which do not provide some reciprocity to the developed nations.

Once such a Latin American Common Market is a reality, the United States and Canada would have to establish a new relationship with it. Such a relationship could take the form of a Western Hemisphere Free Trade Area limited to raw materials. Under this arrangement, the United States, Canada, and the Latin American Common Market would

reduce their trade restrictions—both tariffs and import quotas—on raw materials originating in the Western Hemisphere on a phased annual basis until such trade restrictions, say in 10 years, are at zero.

As the Latin American Common Market is more industrialized and is able to compete with the more efficient industries of Western Europe, Japan, and the United States, this limited Western Hemisphere free trade area could be expanded to cover manufactured products; and could develop further by negotiating arrangements with other regional trading groups, such as the European Economic Community. Its existence would also insure that the Latin American Common Market would be outward looking and competitive.

In 10 years time, a common market area of 200 to 300 million people—larger even than our own U.S. common market of 50 States—could be created, justifying the establishment of highly efficient, large scale industries in Latin America.

In proposing the creation of a Western Hemisphere free trade area on raw materials, I am not overlooking the fact that 55 percent of Latin America's exports to the United States already enter the United States duty free and that the forthcoming trade negotiations under the Trade Expansion Act of 1962 may bring additional benefits to Latin America.

For, while it is difficult to estimate with precision the amount of trade that would be generated by eliminating trade barriers on raw materials, a recent study conducted by the Inter-American Research Committee of the National Planning Association suggests that such a move could have a substantial impact on Latin American exports to the United States, which now total $3.4 billion. It was estimated that suspension of U.S. import restrictions on a selected category of Latin American raw materials would increase U.S. imports from Latin America by at least $850 million, and perhaps by as much as $1.7 billion.

Some will protest that such an arrangement would necessitate a departure by the United States from its traditional unconditional most-favored-nation policy. My answer is that GATT has already made a number of exceptions to this principle, notably in the case of the European Economic Community and the European free trade area. I see no reason why GATT should object to a similar exception with respect to the countries of the Western Hemisphere. For the United States, it may be necessary to subordinate the value of continuing the practice of extending U.S. tariff concessions on a nondiscriminatory basis to all countries automatically, to perhaps the greater value of aiding the worldwide movement toward regional economic integration.

Nor am I unaware of the difficulties involved in creating such a Western Hemisphere free trade area, especially in regard to such commodities as sugar, lead, and zinc. But with U.S. cooperation and hemispheric determination, I am confident these problems are not insoluble.

As we examine the future shape of our trade relations, there are problems which can and should be resolved now in our national interest.

The United States should utilize the forthcoming Kennedy round of trade negotiations to facilitate entry for Latin American exports—primary commodities as well as other products—to the European Common Market. There appears to be some disposition along this line by the EEC, notwithstanding its special relations with the associated African States. Also, together with other Americans, I am doing my utmost to minimize to the greatest extent possible the rigors of U.S. import quotas on such products as lead, zinc, and residual fuel oil. I also believe that the United States should support measures like the International Coffee Agreement, designed to stabilize primary commodity prices.

At the same time, all of us must recognize the dangers of inflation—in some places galloping inflation—which nullifies economic gains. The flight of capital and the grave imbalance of the international balance of payments represents major threats to countries subject to these inflationary forces. To deal with this threat every effort ought to be made to modernize antiquated fiscal systems and monetary policies and to organize capital markets and other institutions to mobilize untapped national savings for productive uses. In short, self-help and mutual cooperation must be the rule, even as we develop Western Hemisphere institutions along the lines which I am charting here.

All of this leads me to the second part of the economic proposal I am here advancing—the role of private enterprise in Latin America.

The Latin American nations must find means for improving the climate for private initiative, while at the same time providing for social justice. These ends are not in the least incompatible. But we must recognize that Latin America is trying to achieve in a decade what has taken a century in the United States and is even yet far from perfected there—the operation of private business in the public interest. What is needed is a new spirit both on the part of government and of private enterprise in the achievement of common goals of progress without sacrificing their own self-interest. In many Latin American countries, leadership in developing such a spirit has been demonstrated to a heartening degree.

Latin American development can be based on a strong foundation of successful private enterprise investment. It should be remembered that not only does some 70 percent of all Latin American economic activity originate in the private sector, but contrary to a widespread impression, 90 percent of this private sector is owned by Latin American investors themselves. A developing economic system so intimately tied to private ownership clearly cannot accelerate its forward movement in the face of the erosion of investor confidence—an erosion signaled by a substantial outflow of private Latin American capital over the past few years and the sharp reduction in net U.S. private investment. I am aware of the selective nature of the investment process and of certain bright spots in the picture. However, these positive currents are bucking a great outward tide caused by private decisions which range from expressions of indifference to acts of panic. To reverse the outward tide—and such a reversal is essential—the positive factors must be greatly augmented. Latin American governments can aid immeasurably in restoring investor confidence. The infusion of Western European private and public investment into these contrary streams can also be an important element in reversing the overall capital outflow and in accelerating the momentum of economic growth in Latin America.

The Atlantic Community Development Group for Latin America (ADELA), under the sponsorship originally of the NATO Parliamentarians' Conference and in the United States, of myself and Senator HUBERT HUMPHREY, of Minnesota, was established in order to formulate a means for focusing free world economic strength—i.e., the force of private sector activity—on this problem.

The multinational, multienterprise private investment company now being established to implement the ADELA program, envisages a revitalization of the private enterprise forces in Latin America by enlisting the partnership of North American, European, and Japanese private enterprise strength. In the first instance, this investment company will focus on expanding the sector of medium sized and smaller enterprises in Latin America so that they may serve as the essential base for the larger ventures of national and regional economic development. The talents and the capital of many enterprises of many nations will go into partnership with the Latin American enterpriser, in order to supply him with that measure of financial resources and technical assistance which he needs to participate more fully in the success of the social-economic revolution which is intended to carry Latin America toward a new era of freedom.

The implementation of the ADELA program represents a unique experiment. It recognizes that the governments most directly involved in the Alliance—i.e., the governments of Latin America and the United States—cannot accomplish the job of Latin American economic development alone. It recognizes, above all, that even all of the governments of the free world together are not possessed of the combination of capital, skills, initiative, and knowledge needed for the successful economic development of Latin America and that the role of the private sector is indispensable.

In the ADELA project the private sector of the free world has the opportunity to give concrete evidence of a fact which it has too long claimed to be self-evident. It can show that inherent in the processes of the system of private enterprise, which has brought historically unparalleled wealth to large areas of this globe, are qualities of statesmanship and discipline which can give Latin America an opportunity to attain equality of economic status. Indeed, private enterprise can show that it has the moral qualities needed for its own survival, in those areas now threatened from the outside by a system which cannot abide individual initiative, which cannot tolerate private ownership of anything and which affords no person credit. Above all, the leaders of private enterprise can display a political awareness of the shape of the future. Thus, the successful realization of this private enterprise action program in the ADELA investment company can be a turning point in the history of Latin America.

In the ADELA project private enterprises are seeking to turn their capital, manpower, and techniques to the creation of economic and social conditions which will assure the viability of the system upon which their own existence depends—not only today or tomorrow, but far into the future. If the peoples in this great Western Hemisphere can be shown that relative freedom from poverty can be achieved by means compatible with individual political freedom, they will decisively choose such means. This is the challenge which the private sector of our economies is uniquely fitted to meet.

I said earlier that the economic program I have outlined here should be espoused by the democratic, progressive and non-Communist parties of the American Republics. I believe the economic and social development of Latin America can be enormously forwarded through the work of political parties which possess the will to express a real evangelism for freedom and free institutions—an evangelism which can be communicated directly to the people in meaningful terms. In short, the Western Hemisphere needs to develop a flaming morale conducive to values which freedom and private enterprise can foster. And this spirit can be created by an identification of the mutuality of interest in each country of all peoples in the Western Hemisphere who are fighting for these values on the basis of democratic political organization, our common Judeo-Christian ethic and progressive economic principles.

One way to do this has been suggested by your compatriot and scholar, Felipe Herrera, president of the Inter-American Bank, who has proposed a Latin American assembly with functional participation by capital, labor,

and the universities, with a cooperative working arrangement with delegates of the U.S. Congress. Call it, if you will, "The Parliament of the Hemisphere."

Whatever steps we take to develop greater hemispheric unity would advance in our time the dream of Simon Bolivar when he envisioned consolidating Latin America into a single nation, united by pacts into a single bond.

"The time has now arrived," said Bolivar 140 years ago, "when the interests and associations which unite the American Republics should secure a firm foundation."

It is a fitting note on which to sum up and to dedicate ourselves to this high purpose—as valid today as it was then—and at least as urgent.

POLITICAL ACTION VITAL FOR LATIN AMERICAN INTEGRATION

(NOTE.—The following are the remarks of Senator JACOB K. JAVITS prepared for delivery before the American Chamber of Commerce of Mexico, University Club, Mexico City, 1 p.m., April 5, 1965, and released in Washington and Mexico City.)

It has been more than 3 years since the signatories of the Declaration of Punta del Este agreed to accelerate the integration of Latin America so as to stimulate economic and social development in the continent.

In these years we have witnessed substantial gains in the economic integration of Latin America. We have seen both the Latin American Free Trade Association (LAFTA) and the Central American Common Market (CACM) make substantial cuts in tariffs, and intraregional trade has increased.

Despite these accomplishments, despite these gains, true economic integration and the harmonization of economic policies has not been achieved, particularly in LAFTA. In short, reality has not been able to match the plan of Punta del Este; actions have not yet been able to fulfill the manifest destiny of Latin America—a continental economic union, cemented by mutual interest, and designed to allow the peoples of Latin America to realize the potential of their resources, natural and human.

It is evident that this destiny of true economic integration of the Americas can be realized only through full political commitment to it at the highest levels and with the strong support of democratic political parties, trade unions, men of influence in all walks of life and the peoples concerned. Even though the Inter-American Committee on the Alliance for Progress (CIAP), ministerial groups, experts and private enterprise hemispherewide organizations such as the Inter-American Council for Commerce and Production (CICYP) fully realize this need, such commitment has not been made evident today to any appreciable degree.

Unless widespread political support develops the great gains of LAFTA, CACM, and the Alliance for Progress could be dissipated with the most damaging consequences to the future of freedom and well-being in the hemisphere.

I invite today, therefore, leaders of democratic political parties and trade unions of the Americas—which excludes the extremist right and the Communist left—and Latin American personalities devoted to the cause of democratic reform and unity to join me in the establishment of an Action Committee for an Economic Union of the Americas.

This Committee should dedicate its heart and soul and its influence to bringing about a true continental economic union by rallying strong political support behind the idea of a treaty for a Latin American Common Market, composed of all the nations of Latin America, to be followed, in due course, as the Latin American members agree, by a treaty for a Western Hemisphere Free Trade Area, including the United States and Canada.

To those who would dismiss this call as being unrealistic—or at least premature—let me refer you to the comment that was the fashion in the capitals of Europe on the future of Western European economic integration in the early 1950's: "A Common Market of all Europe is a wonderful idea, and it may even happen someday, but how can anybody expect it to succeed when the nations of Europe have been rivals for centuries?"

Who indeed, would have thought that in the next decade, a European Common Market would become one of the most powerful economic forces in the world? Who, indeed, but Jean Monnet and his Action Committee for the United States of Europe. The committee I propose today, like Monnet's group, would derive its strength from a membership agreed on the necessity of achieving the goal of a continental economic union, and committed to influence their respective parliaments, trade unions, and public opinion in general, to realize that goal.

The problem of political leadership in Latin American economic and political unification is becoming clearer daily to the governments and people of the hemisphere. What is needed now is a final well-organized drive to overcome that inertia and that provincial view of nationalism which separates the hemisphere from the realization of these goals.

The experience of the Monnet group in Europe can teach us much about how such goals can be realistically achieved.

Monnet's group came into existence in late 1955 following the Messina Conference of the Foreign Ministers of the Six Counties of the European Coal and Steel Community, which recommended the initiation of "a Common European Market, free from all customs duties and all quantitative restrictions" on the basis of "appropriate institutional means for the realization and operation" of enlarged economic organisms. The Ministers created an intergovernmental committee under Paul Henri Spaak to draft the relevant treaties or arrangements.

As in the case of Latin America today, the European integration movement was well underway at this time and had succeeded in the creation of the European Coal and Steel Community. LAFTA, the Central American Common Market, CIAP, and the Inter-American Bank represent the victories so far of the economic integration movement in the hemisphere.

But the parallels between Europe in the early 1950's and Latin America today do not stop here. Monnet and his group realized that there was a lack of organized, Europewide political support to insure that governments would implement the recommendations of the Spaak Committee.

Similarly, more and more dissatisfaction is being heard today over the lack of political support for the meaningful economic integration of Latin America. There has not been an important inter-American conference during the past several months which did not recommend in one form or another a means to remedy this lack. What has been absent, however, is a focal point—a central group—that could give direction and purpose to the diverse groups working toward the same goal.

Similar ferment in Europe—a similar feeling that not enough was being done—brought about the creation of Monnet's Action Committee in late 1955. It brought together a coalition of divergent forces which were agreed on one point, the important one—the need for European unification. It created conditions which made certain that any draft treaty put together by the Spaak Committee would fall on the ears of receptive parliamentary and public opinion. Its members were party and union leaders of the democratic left who were agreed on the principle of economic integration and who were prepared to build up the necessary political support to make this goal realizable, without further delay. Largely through the work of this group, the Spaak Committee's draft treaty establishing the European Economic Community and the European Atomic Energy Community was approved in Rome by the foreign ministers of the six nations joined in the European Coal and Steel Community.

It is my belief that a similar action committee in Latin America in 1965 can have the same effect as Monnet's European group in 1955. Certainly there are many divergent forces in Latin America. But there is ample evidence that there is one central idea which is gaining credence in all sections of the hemisphere—the need for Latin American economic unity.

This is true because many Latin American economic and political leaders are now becoming aware that the process of Latin American economic integration is not proceeding fast enough and many basic problems remain. For example:

1. Seventy-five percent of Latin America's foreign exchange income is still generated through exports of oil, coffee, meat, cotton, copper, sugar, wool, iron ore, and bananas.

2. Developed countries—especially in Europe but including the United States—continue to impose restrictive measures on Latin American exports such as coffee, lead, zinc, and oil—a situation which has been condoned by Latin American exporters desiring the benefits of selling in protected, high-price markets.

3. Wide disparities remain between the development of economic sectors within individual countries as well as between the levels of development of individual countries of Latin America—per capita annual income ranges between $1,120 in Venezuela to less than $100 in Bolivia.

4. Development planning often takes place without the full participation of the private sector.

5. The heavy external debt burden of many Latin American countries impedes their economic development efforts.

6. Intra-LAFTA trade still constitutes only 8 or 9 percent of the LAFTA countries' total trade. Intra-CACM trade accounts for only 13 percent of that region's total trade.

7. Tariff cutting procedure in LAFTA is permissive rather than automatic or across-the-board, which allows member countries to protect indefinitely against effective competition the most sensitive areas of their economies.

8. Industrial integration among countries is still only in the talking stage.

9. Real monetary and fiscal stability is still lacking in many of the member countries of LAFTA.

10. Expansion of intra-LAFTA trade in manufactured goods has been quite limited due to the reluctance of the more advanced member countries to reduce their high tariffs on such goods because of a fear of exposing their heavily subsidized industries to competition from abroad.

It is becoming more evident each day that the resolution of Latin America's economic problems can best be effected within the framework of a genuine Latin American Common Market, within which goods, persons, and capital can move more freely. With the emergence of a common external tariff and a phased, across-the-board reduction of tariffs on intraregional trade, there would emerge in such an arrangement a mass market of 220 million people with a combined annual gross national product of between $70 and $80 billion, $18 billion of foreign trade, and $2.5 billion in gold and foreign exchange reserves.

Such a common market with a unified commercial policy would greatly increase Latin America's leverage with the industrial countries of Western Europe, North America and Japan in the field of trade. It would

also provide a powerful pull on private capital from the United States, Western Europe and Japan which is essential for Latin America's more rapid industrial development. It would permit the establishment of a rational, regional transportation system, in coastal shipping as well as inland road and rail transportation. It could provide a great stimulus to economic growth through the strengthening of competition in the region, and the expansion of additional local manufactures. Further diversification in production of domestic manufactures would help to reduce Latin America's dependence on the exportation of primary commodities.

At the same time, the process of establishing a Latin American Common Market can receive great impetus from the industrially advanced nations of the world. These nations under the leadership of the United States, have already recognized the importance of trade to developing nations and the need to take urgent action to improve their terms of trade. In a statement of May 1963, the Ministers of the Contracting Parties of GATT agreed that in the forthcoming GATT negotiations every effort would be made to reduce barriers to the exports of developing countries and that the more advanced industrialized countries would not expect to receive reciprocity from the developing nations.

I strongly believe that in line with the May 1963 GATT ministerial declaration the United States could now call on the industrialized nations of GATT to extend preferential treatment to specified American exports. The United States itself could take the lead by taking such a step, provided that the other GATT nations involved follow suit and that Latin American nations agree to accelerate the process of Latin American economic integration in a competitive atmosphere. Low-cost efficient modern industries, established in regions which offer the best combination of accessibility to markets, resources and trained manpower and ready to face competition from abroad, are the best assurance that competitive conditions would prevail during this process.

Once such a Latin American common market is a reality, and in agreement with its member countries, the United States and Canada could effectively establish a new economic relationship with it. Such a relationship could take the form of a Western Hemisphere free trade area—but limited at first to raw materials. Under this arrangement, the United States, Canada, and the Latin American common market would reduce their trade restrictions—both tariffs and import quotas—on raw materials originating in the Western Hemisphere on a phased annual basis until such trade restrictions, say in 10 years, were at zero.

As the Latin American common market becomes more industrialized and is able to compete with the more efficient industries of Western Europe, Japan, and the United States, this limited Western Hemisphere free trade area could be expanded to cover specified manufactures and semimanufactures and could develop further by negotiating arrangements with other regional trading groups, such as the European Economic Community. Its existence would also insure that the Latin American common market would be outward looking, and competitive.

If such an economic union is to succeed, however, Latin American nations must improve the climate for private initiative, while at the same time providing for social justice. These ends are not in the least incompatible. But we must recognize that Latin America would be trying to achieve in a decade what we in the United States, after a century of trying, have not perfected—the operation of private business in the public interest. What is needed is a new spirit both on the part of government and of private enterprise in the achievement of common goals of progress without sacrificing their own self-interest. In many Latin American countries, leadership in developing such a spirit has been demonstrated to a heartening degree.

Proof that businessmen of the hemisphere are becoming more and more conscious of their responsibility to play a major part in solving the profound problems facing Latin America was evidenced in the meeting last month of the Executive Committee of the Inter-American Council of Production and Commerce (CICYP). The Committee decided to form a committee to represent private enterprise before LAFTA and to send a delegation to the upcoming LAFTA Foreign Ministers' Conference as well as to promote a multilateral system of investment guarantees for private capital in Latin America and to undertake a number of measures to expand Latin American export possibilities in cooperation with the Inter-American Committee for the Alliance for Progress.

This proof is also provided in the formation of the multinational, multiprivate enterprise investment company last September to implement the Atlantic Community Development Group for Latin America (ADELA), which I had the honor to initiate. ADELA is designed to revitalize private enterprise in Latin America by bringing the capital and the talents of many enterprises in many nations into a partnership with Latin American business.

The implementation of ADELA represents a unique experiment. It recognizes that even all the governments of the free world together are not possessed of the combination of capital, skills, initiative and knowledge needed for the successful economic development of Latin America without the indispensable aid of the private sector.

Latin America has the resources and I believe many of its political and business and trade union leaders now have demonstrated their desire to bring about an economic union which will benefit all the peoples of the continent. It is my hope that an Action Committee for the Economic Union of the Americas will now be formed to translate these resources and these desires into organized action to make Latin America the great, independent free world economic force it has every right to be.

Mr. JAVITS. I hope very much that our Joint Economic Committee may get at this subject promptly. As the ranking minority member of the subcommittee, I shall request the chairman of our subcommittee concerned to go forward with the hearings, which are so portentous and important at the present time.

RECESS

Mr. BASS. Mr. President, I ask unanimous consent that the Senate now stand in recess until 2 o'clock p.m.

The PRESIDING OFFICER. Is there objection?

There being no objection, at 1 o'clock and 1 minute p.m., the Senate took a recess until 2 o'clock p.m.

At 2 o'clock p.m., the Senate reassembled when called to order by the Presiding Officer (Mr. BURDICK in the chair.)

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

CAPITULATION IN THE UNITED NATIONS

Mr. MILLER. Mr. President, the front page story in today's Washington Evening Star covers action by the United States which can only be described as capitulation in the United Nations. Ambassador Arthur Goldberg, acting, of course, on instructions from the White House, announced that the United States will not seek to enforce article 19 of the Charter of the United Nations.

What apparently has happened is that a majority of the members of the United Nations could not be enlisted to join together to vote to uphold article 19. Thus, a basic provision of the charter has been tossed into the wastebasket, and the United States has capitulated to this action. Such an attitude is a terrible setback for the rule of law movement, which many people believe is the answer to world peace. It places the United Nations in the position of standing for expediency over principle. Those who have looked to the United Nations as the best avenue to world peace through law are shocked over this development; for it now serves as clear evidence that a majority of the members of the United Nations will not live up to their treaty obligations under the U.N. Charter. Worst of all, the United States, which is supposed to be the leader of the free world, has sold out its principles in favor of a so-called consensus that principles of the charter are not to be enforced.

The Soviet Union has won another victory for communism—a victory which will have repercussions around the world. The Soviet Union steadfastly maintained that it would remain in violation of the Charter of the United Nations, and a majority of the members, including the United States, have backed down. This is an open invitation to any other member, and particularly to the Communist nations, to violate any other article of the charter with impunity. Communist leaders are now encouraged to think that when the going gets really tough, the United States will forsake its lofty principles and capitulate. This is a dreadful development in view of all of the talk about negotiations over the war in Vietnam.

The administration had its chance to avoid this awful situation. The article in the Star states that the practical alternative, it was generally believed, was to be beaten on the floor of the U.N. Assembly next month. The article did not say so, but the reason for this prospect is that over half of the members of the United Nations are themselves delinquent in their dues or assessments.

What was needed was a mechanism which would persuade the member nations to pay up their dues and assessments. And that mechanism was offered by my amendment to the foreign aid bill earlier this year. It was offered on August 18, 1961; on April 5, 1962; on November 12, 1963; and again on August 10, 1964. Each time this amendment was defeated—largely due to opposition from the administration and its leadership in the Senate. The amendment would have withheld our foreign aid from those nations over 1 year in arrears in

their dues and assessments to the United Nations, with reasonable exceptions to be made by the President of the United States based on certain required findings by him and reported to the Congress.

I offered this amendment, time after time, because I foresaw what kind of a situation could develop if the recipients of our foreign aid failed to pay their dues and assessments. We would end up with exactly what we have today—a majority of the members of the United Nations delinquent. And on a vote to uphold article 19, who would expect this majority to vote for its enforcement? On the other hand, with the adoption of my amendment, we could expect that the recipients of our foreign aid would quickly pay up their delinquencies in order to avoid the loss of our aid. They would then be in a good position to vote to enforce article 19. In fact, with the great majority of the members of the United Nations current in their payment of dues and assessments, it is entirely possible that the Soviet Union would have backed down from its position of refusal to pay.

Some of my colleagues may wring their hands over this latest development. If they were among those who supported my amendment, they are in a consistent position to decry this development. If they voted against my amendment, they have only themselves to blame for following the administration's stubborn and superficial opposition to the amendment.

On February 9 of this year, I said—page 2323 of the RECORD:

> I hope that we will have the courage of our convictions and will stick to our demand for the enforcement of this article. As our Ambassador to the United Nations, Hon. Adlai Stevenson, said on January 26: "We cannot have two rules for paying assessments for the expenses of the organization—one rule for most of the members, and another for a few. If the Assembly should ignore the charter with respect to some of its members, it will be in no position to enforce the charter impartially as to the others, with all the consequences which will follow with respect to the mandatory or voluntary character of assessments."

The late Ambassador Stevenson knew what he was talking about. It is too bad that, so soon after his untimely death, his counsel has been replaced by capitulation to consensus.

I ask unanimous consent that the article from the Washington Evening Star be printed in the RECORD, along with an extract from my newsletter No. 65-3, issued over 2 months ago, entitled "Capitulation in the United Nations," and a table showing the list of nations receiving our foreign aid which would have been affected by my amendment, showing the total foreign aid extended by the United States to them during fiscal year 1964, and, as of March 31 of this year, the amount of their arrearages over 1 year delinquent and also the total amount of all of their arrearages.

There being no objection the article, excerpt, and table were ordered to be printed in the RECORD, as follows:

UNITED STATES ENDS FIGHT TO FORCE ALL TO PAY U.N. DUES—GOLDBERG MAKES ANNOUNCEMENT IN FIRST APPEARANCE

(By William R. Frye)

UNITED NATIONS, N.Y.—The United States has reluctantly stepped aside and let the United Nations General Assembly abandon its power of compulsory taxation to keep the peace.

At the same time, Washington has pointed out that if the U.N. cannot, or will not, force Russia to pay what she owes, it cannot force the United States to do so either—if the United States should ever decide to balk.

This, observers here agree, is the net impact of an announcement yesterday by U.S. Delegate Arthur J. Goldberg that Washington now is ready to let Russia and other U.N. debtors vote without paying their due arrears.

The announcement was made to a 33-nation U.N. Finance Committee in Goldberg's first formal U.N. appearance as successor to the late Adlai E. Stevenson.

ACTION RELUCTANT

Goldberg threw in the towel with obvious reluctance and regret on the issue over which the United States has fought intermittently since 1957. He pointed out—some thought bitterly—that the majority, in refusing to enforce the U.N. Charter:

1. Was not "furthering" the rule of law in the world.

2. Was going back on an opinion of the World Court which the General Assembly had formally accepted. The Court ruled in 1962 that peacekeeping dues had to be paid like any other kind, or the debtor would lose his vote.

3. Was undercutting "important prerogatives" of the veto-free Assembly. This was obviously a reference to compulsory tax power.

All the vital principles of law which the United States has urged in the past remain valid, Goldberg said. But if the U.N. does not choose to enforce them "in the present situation," the United States "will not seek to frustrate that consensus."

ENDS IMMOBILIZATION

The overriding reason for this decision, he said, is that "it is not in the world interest to have the work of the General Assembly immobilized in these troubled days."

Since January 1964, the Assembly, which normally acts by two-thirds majority, has been paralyzed by inability to vote on controversial issues. It could act only by unanimous consent. Any rollcall would have precipitated the question of who was qualified to take part, and a majority did not wish to decide that question.

Whether Russia, France, and the 10 other countries which owe a total of some $108 million for Congo and Mideast peace actions will make "voluntary" contributions, now they have in effect won their legal case, remains to be seen. The general expectation is that most will.

Soviet Delegate Platon D. Morozov said, however, that Russia would make a "substantial voluntary contribution" if—and only if—it were clearly understood the U.N. Assembly's power of compulsory taxation was being abandoned permanently, not just set aside in the present instance.

Few observers think this power, once abandoned, will ever in fact be recovered. But it was obvious from Goldberg's speech that the United States does not wish to say so. Thus, the makings of a new Soviet-American deadlock seemed at hand.

Goldberg's contention that it remains illegal to withhold dues payments seemed to some diplomats to conflict with his statement that the United States might one day withhold its own dues. However, he argued that "there can be no double standard" in enforcement of the U.N. law.

This option to withhold payment of American dues assessments was read into the record, observers believed, primarily to satisfy U.N. critics on Capitol Hill who have deplored the U.N. tax power, fearing it might one day be used against the U.S. interests.

The hope is that, by this tactic, an explosion of bitterness over Russia's victory can be avoided. Both pro-U.N. and anti-U.N. legislators have long urged the administration to fight for payment of Russia's dues.

Of late, however, it had been widely accepted that the fight was hopeless. Most of Capitol Hill seemed ready to let the President abandon it.

The practical alternative, it was generally believed, was to be beaten on the floor of the U.N. Assembly next month.

Monday's surrender in less conspicuous circumstances was settled upon as a way to escape with minimum loss of face.

CAPITULATION IN THE UNITED NATIONS

Although I have been supporting the administration's policy of firmness in dealing with Communist aggression in South Vietnam, I have warned that this policy, to be effective, must be matched by firmness in other international relations. Efforts to persuade the leaders in Hanoi to cease and desist from aggression will be undercut if they get the idea that the leadership in this country probably will back down eventually. Basically it's a test of strength between two ideologies, and we can be sure that the leaders of other nations are measuring our character by what happens in other places besides South Vietnam.

Probably the worst damage in a long time to our reputation for steadfastness in standing for principle recently occurred in the United Nations—the worst, at least, since the administration backed down from the agreement by the Soviet Union to have on-site inspection in Cuba by United Nations representatives.

What happened was a change from our firm policy of insisting on adherence to article 19 of the Charter of the United Nations to a policy of accommodation with the Soviet Union's flagrant violation of article 19. The change came in a statement by U.S. Ambassador to the U.N., Adlai Stevenson, before a Special Committee on Peacekeeping Operations, that the United States would consider and negotiate "procedural modifications" of article 19 "if the members of the U.N. think it desirable to take into account any strong political objections to peacekeeping operations on the part of a permanent member of the Security Council." In fairness to Mr. Stevenson, one should realize that such a statement would have been cleared with, if not directed from, Washington.

Last fall Ambassador Stevenson, speaking for the administration, said that we would insist that the Soviet Union not be permitted to vote in the General Assembly. This was in line with article 19, which provides for loss of vote when a member nation is more than 2 years in arrears in its payment of dues and assessments, as interpreted by the International Court of Justice. (Actually there are 12 member nations over 2 years in arrears, including France, but the biggest delinquent by far is the Soviet Union, which has threatened to pull out of the United Nations if article 19 is enforced.) It was rumored that the Secretary General would not rule on the point if raised by the United States, but would refer it to the membership of the General Assembly for a vote. And with 71 of the 114 members delinquent a total of $132 million in their dues and assessments to some extent (51 of them to which we extended foreign aid last year were more than 1 year behind), one might well wonder how the vote would come out. A motion to adjourn the Assembly was made on February 18 and, in order to permit adjournment, the United States allowed the Soviet Union to vote on a parliamentary question raised by Albania without making a point that under article 19 she had lost her vote.

Last August the House (351 to 0) and the Senate (voice vote) adopted a resolution,

endorsed by the State Department, urging that financially delinquent members be subjected to loss of vote under article 19. Now we learn that the State Department has donated $60 million to the U.N. Special Fund from which the United Nations is borrowing the money to meet its current bills. (It is around $300 million in debt now.) With the lack of a sense of financial responsibility of so many of its members, compounded by the capitulation of the United States to the Soviet Union in its flaunting of the U.N. Charter, the future of the organization is in serious jeopardy.

I have been warning of financial disaster in the U.N. ever since I came to the Senate, and each year I have offered an amendment to the foreign aid bill providing that no foreign aid will be extended to any nation more than 1 year behind in its dues and assessments to the U.N. except in very special cases determined by the President. Each time the State Department and administration leaders in the Senate have opposed the amendment on the frivolous argument that we are not supposed to be collectors for the U.N. I intend to keep working for such an amendment.

Countries which would be affected by Miller amendment

Country	Total U.S. Aid fiscal year 1964	U.N. arrearages, calendar year 1963 and prior	U.N. arrearages for all years
Afghanistan	$43,600,000	$66,228.00	$74,750.31
Argentina	14,800,000	670,822.15	1,750,573.15
Belgium	[1] 41,400,000	3,092,143.00	3,253,651.00
Bolivia	80,700,000	56,070.00	94,097.00
Brazil	401,500,000	930,749.50	1,954,266.00
Central Africa Republic	1,100,000	3,240.00	8,845.00
Chile	142,900,000	342,116.00	593,496.00
China	183,800,000	6,218,493.00	10,733,165.00
Congo (Brazzaville)	2,900,000	8,845.00	48,594.00
Costa Rica	16,400,000	18,950,59	41,965.71
Dahomey	1,200,000	3,644,81	34,225.57
Dominican Republic	16,600,000	67,724.02	116,684.01
Ecuador	30,800,000	6,855.84	55,638.72
El Salvador	15,900,000	15,203.00	22,018.00
Ethiopia	19,200,000	11,059.00	19,578.00
France	32,300,000	16,143,083.00	17,752,565.00
Guatemala	15,500,000	12,090.00	49,627.00
Guinea	19,800,000	17,064.00	23,879.00
Haiti	3,700,000	49,400.50	87,985.50
Iraq	24,600,000	96,502.00	184,179.00
Jordan	58,800,000	76,617.00	83,432.00
Lebanon	200,000	23,434.00	31,953.00
Mali	3,300,000	20,910.00	24,259.00
Mauritania	800,000	17,318.00	40,262.55
Mexico	108,700,000	1,228,888.00	1,354,965.00
Nepal	6,400,000	8,845.00	48,593.77
Nicaragua	8,100,000	44,539.00	84,133.00
Niger	2,400,000	29,214.50	38,470.50
Panama	18,200,000	37,279.50	37,279.50
Paraguay	9,500,000	55,410.00	95,159.00
Peru	120,100,000	158,577.78	175,614.78
Poland	15,000,000	3,665,051.00	4,322,387.50
Portugal	17,200,000	188,277.00	221,105.00
Saudi Arabia	(2)	122,885.00	134,811.00
Senegal	6,200,000	30,014.00	79,699.00
Somalia	4,100,000	28,583.32	68,332.32
Spain	81,600,000	1,828,833.00	1,975,356.00
Sudan	7,500,000	75,067.00	144,625.00
Syria	3,400,000	51,681.00	101,366.00
Thailand	81,600,000	12,962.00	35,384.00
Togo	1,700,000	29,214.50	41,625.50
United Arab Republic	144,500,000	326,300.00	374,322.52
Upper Volta	900,000	21,797.00	54,365.14
Uruguay	9,000,000	136,052.44	240,446.44
Yemen	5,700,000	87,380.50	127,129.50
Yugoslavia	75,600,000	301,453.00	333,269.00
Total	1,807,800,000	36,536,866.95	

[1] Includes Luxembourg.
[2] Military data classified.

Sources: U.N. Secretariat, statement on the collection of contributions as at Mar. 31, 1965, U.S. overseas loans and grants, fiscal year 1964, AID, Sept. 4, 1964.

ECONOMIC OPPORTUNITY AMENDMENTS OF 1965

The Senate resumed the consideration of the bill (H.R. 8283) to expand the war on poverty and enhance the effectiveness of programs under the Economic Opportunity Act of 1964.

Mr. JAVITS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 210 Leg.]

Aiken	Bible	Case
Allott	Boggs	Cooper
Anderson	Brewster	Cotton
Bartlett	Burdick	Curtis
Bass	Byrd, W. Va.	Dirksen
Bayh	Cannon	Dominick
Bennett	Carlson	Douglas
Eastland	Lausche	Pell
Ellender	Long, Mo.	Prouty
Ervin	Long, La.	Proxmire
Fannin	Magnuson	Randolph
Fong	Mansfield	Ribicoff
Fulbright	McClellan	Robertson
Gore	McGovern	Russell, S.C.
Gruening	McIntyre	Russell, Ga.
Harris	McNamara	Saltonstall
Hart	Metcalf	Scott
Hartke	Miller	Simpson
Hayden	Mondale	Smathers
Hickenlooper	Monroney	Smith
Hill	Montoya	Stennis
Holland	Morse	Symington
Hruska	Morton	Talmadge
Inouye	Moss	Thurmond
Jackson	Mundt	Tower
Javits	Murphy	Tydings
Jordan, N.C.	Muskie	Williams, N.J.
Jordan, Idaho	Nelson	Williams, Del.
Kennedy, Mass.	Neuberger	Yarborough
Kennedy, N.Y.	Pastore	Young, N. Dak.
Kuchel	Pearson	Young, Ohio

Mr. LONG of Louisiana. I announce that the Senator from Connecticut [Mr. DODD] and the Senator from Wyoming [Mr. MCGEE] are absent on official business.

I also announce that the Senator from Virginia [Mr. BYRD], the Senator from Idaho [Mr. CHURCH], the Senator from Pennsylvania [Mr. CLARK], the Senator from Minnesota [Mr. MCCARTHY], and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

The PRESIDING OFFICER (Mr. BURDICK in the chair). A quorum is present.

The committee amendment is open to amendment.

AMENDMENT NO. 389

Mr. DOMINICK. Mr. President, I call up my amendment No. 389.

The PRESIDING OFFICER. The amendment offered by the Senator from Colorado will be stated.

The legislative clerk proceeded to read the amendment.

Mr. DOMINICK. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and, without objection, the amendment will be printed in the RECORD.

The amendments (No. 389) are as follows:

On page 28, line 24, strike out "$535,000,000" and insert in lieu thereof "$412,500,000".

On page 29, line 10, strike out "$880,000,000" and insert in lieu thereof "$490,000,000".

On page 29, line 23, strike out "$55,000,000" and insert in lieu thereof "$35,000,000".

On page 30, line 22, strike out "$30,000,000" and insert in lieu thereof "$10,000,000".

Mr. DOMINICK. Mr. President, if my colleagues will remain in the Chamber, I shall not be very long in the discussion of this amendment. I think I can explain it adequately in a short time.

Last year's authorization, in terms of round numbers, was $947½ million. Last year's appropriation, in terms of round numbers, was $793 million.

The proposed bill authorizes $1,650 million, as reported by the committee.

My amendment would cut this amount back to last year's authorization of $947½ million, plus $150 million added on by the Nelson amendment. So it comes to a little over $1 billion.

My amendment, if adopted, would increase the amount spent last year by about 38 percent, which, at a time when a program is under sharp attack by Members of both political parties because of the problems being encountered in setting up an administration which will make it work efficiently would be an entirely adequate increase.

My amendment would reduce the amount authorized to be appropriated to that set by last year's legislation, except for an increase of $150 million, to allow for the funding of the program suggested by the Senator from Wisconsin [Mr. NELSON].

Some of us may not be in agreement with the amendment of the Senator from Wisconsin. In effect, it adds a public

works type program by providing $150 million for the employment in parks and gardens of those who are, generally speaking, on the unemployment list and who are having difficulty finding jobs. It provides that they can be moved from one area to another for this purpose.

I am not going to argue the merits of that amendment. I am accepting it and adding in that amount of money for this purpose, even if I may not agree with it.

One of the complaints we have is that the bill would increase by 3 times the amount of administrative expenses. The bill, if enacted, would expand administrative expenses from $10 million to $30 million.

One of the problems about which we have had complaints from all over the country is as to whether or not most, or at least a great deal, of the money is going to top level supervisors, to the brass hats of the program. It seems to me we should cut that back and reduce it to the previous year's authorization of $10 million.

I think we should keep in mind that this program has been operating for less than a year, and we have already gotten into positions that seemed inconceivable to us when the program was originally adopted. So it seems to me that when we are considering expanding the program, there is no need for doubling the amount that was actually spent last year in the administration and conduct of the program.

At this point, I should like to cite, for the benefit of my colleagues who are present some of the examples which were given in a recent issue of U.S. News & World Report, a carefully documented article. I am reading from the recent issue of August 23, 1965. For the RECORD, and for the benefit of my colleagues, at least those who are interested in listening, this will provide some valuable information on this subject. The article begins:

Is the so-called war on poverty getting out of hand?

Around the country, more and more people are asserting that it is. The White House is concerned about the swelling volume of criticism.

Complaints are heard in growing numbers—charges of administrative chaos, bureaucatic bungling, waste, extravagance, costly duplication of existing services, internal squabbling.

Cases of serious crime, violence and racial friction involving youths enrolled in Job Corps camps appear to be on the rise.

Much criticism is being directed at R. Sargent Shriver, Jr., boss of the poverty war. Mr. Shriver, a brother-in-law of the late President Kennedy, heads both the Office of Economic Opportunity—the antipoverty high command—and the Peace Corps.

A Congressman described Mr. Shriver's poverty-war headquarters as "an administrative shambles * * * nobody in that office seems to know who is responsible for what."

This is not merely a criticism originating in Washington. It is also not a partisan criticism.

Let me give some examples of some experiences had with Job Corps trainees. This is one which was reported in the article. It states:

Five Negro youths from the Camp Gary Job Corps training center at San Marcos, Tex., were arrested in connection with an attempted robbery and the shooting of two U.S. Air Force military policemen at San Antonio.

One of the wounded airmen may be permanently blinded. The other was shot in the stomach and hand. The airmen are white.

In connection with that story, Senators should keep in mind that these Job Corps trainees are, in many cases, being paid more than twice as much as our enlisted servicemen who are defending their country in Vietnam.

Let me also remind the Senate that under the bill it is proposed to appropriate the taxpayers' money to pay lawyers to defend the trainees. No one else in the country receives that kind of treatment. We have to pay for it ourselves or the court will appoint a lawyer for us, but no money is appropriated out of a special fund to help us defray that kind of expense. The trainees are being paid $200 a month for the privilege of learning and getting a job, and then they go out and commit felonies.

I believe that there is absolutely no excuse for going ahead and increasing the size of this program until some of these problems have been straightened out.

Here is another one:

Two dropouts from the Job Corps were arrested on burglary charges near Cotulla, Tex.

Here is another one:

A newspaper in Columbus, Ind., reported that youths from Camp Atterbury had attempted to buy guns while on leave from the camp.

I gave other examples in my speech of yesterday. There are more examples in the minority views that are before each Senator; but let me go on a little further, if I may.

Here is an interesting fact, which few know, regarding the procedures of the Job Corps which has drawn such widespread criticism:

Recruiting procedure for the Job Corps has drawn widespread criticism.

The Government, besides using the U.S. Employment Service, pays some private employment agencies $80 for every youth accepted as a trainee.

In other words, the Government, with taxpayers' funds, is paying a private employment agency $80 to bring a trainee into the Job Corps.

I suggest that this is an odd way to try to conduct a Government program.

Continuing reading:

One charge made is that some agencies, in order to collect as many $80 fees as possible often conceal from Government "screeners" the fact that some applicants have criminal records.

In case after case after case has come up, the trainees who have been in the camps and who are not supposed to have any criminal records at all are, nevertheless, found to have them and to be in violation of that requirement.

Yesterday I mentioned the St. Petersburg, Fla., camp for girls. I should like to read a little more about this example, which comes from the magazine article:

The antipoverty program is paying $225,000 to rent the hotel for 18 months. The market value of the property has been estimated at $150,000 to $200,000.

Thus, what the Government will be paying to the hotel operators in a year and a half will be more than the total market valuation of the property. This, it seems to me, is an odd way to try to operate a Government program; yet, we are being asked to more than double the amount to be spent.

This is what the Denver Post had to say in an open letter written to Sargent Shriver on July 20th:

DEAR SARGENT SHRIVER: For nearly 6 months, Denver has been trying to get your poverty agency to approve a plan for a neighborhood health center—

This is for a neighborhood health center, let me emphasize—

to help people in slum areas in this city overcome some of the health problems that keep them poor.

For everyone involved in this effort, the experience of dealing with your agency has had a nightmarish quality about it and the kind of maddening frustrations appropriate for a novel by Kafka.

As you know, the frustration became so intense last spring that Denver's Mayor Currigan felt obligated to complain about it to the Vice President of the United States and threatened to keep Denver out of the program altogether.

Mayor Currigan is a Democrat, and he is doing his best to try to operate the city in the reasonable manner.

Poverty officials in Denver complain that a long series of vague and sometimes contradictory messages from Washington left them thoroughly confused about what your agency wanted.

At one point, they say, they were told that the proposal was about to be approved; later, that it would need only minor revisions; still later, that it would have to be revised entirely.

Mr. DIRKSEN. Mr. President, will the Senator from Colorado yield?

The PRESIDING OFFICER (Mr. BASS in the chair). Does the Senator from Colorado yield to the Senator from Illinois?

Mr. DOMINICK. I yield.

Mr. DIRKSEN. Does not the Senator wish to ask for the yeas and nays on his amendment, and should we not ask for them now?

Mr. DOMINICK. Yes.

Mr. DIRKSEN. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. DIRKSEN. I thank the Senator from Colorado.

Mr. DOMINICK. Mr. President, the open letter continues as follows:

What do you want from us, Mr Shriver? What can you accomplish with all this delay except to keep these extra health services from the poor of Denver and disillusion the people of this city with the war on poverty?

This newspaper has supported the poverty program from the beginning, and we would like to go on supporting it. But the example we have had so far of redtape and delay is

enough to sour anyone on the whole program.

Mr. President, I ask unanimous consent to have this entire article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

POVERTY WAR OUT OF HAND?

(NOTE.—Scandals, confusion, redtape, bureaucratic infighting—those are examples of the troubles that are hounding the war on poverty in city after city around the country. Complaints are made that agencies are overstaffed, Federal funds being wasted, that the poor are on the short end of benefits. A sampling of local reports provides a national cross section of what's going on.)

Is the so-called war on poverty getting out of hand?

Around the country, more and more people are asserting that it is. The White House is concerned about the swelling volume of criticism.

Complaints are heard in growing numbers—charges of administrative chaos, bureaucratic bungling, waste, extravagance, costly duplication of existing services, internal squabbling.

Cases of serious crime, violence, and racial friction involving youths enrolled in Job Corps camps appear to be on the rise.

Much criticism is being directed at R. Sargent Shriver, Jr., boss of the poverty war. Mr. Shriver, a brother-in-law of the late President Kennedy, heads both the Office of Economic Opportunity—the antipoverty high command—and the Peace Corps.

A Congressman described Mr. Shriver's poverty war headquarters as "an administrative shambles. * * * Nobody in that Office seems to know who is responsible for what."

OUTLAY IS RISING

Federal spending in the antipoverty program is to run to well over $1.5 billion in the year ahead—more than double the first year's outlay.

In city after city, political wrangling over control of antipoverty funds has impeded programs which are intended to help the poor. The poor themselves, according to some of their spokesmen, are becoming increasingly disenchanted with the whole thing.

In some places, local wrath has been stirred by what one newspaper called the maddening frustrations of dealing with Washington headquarters.

Chagrin has resulted, too, from what some community leaders who are attempting to aid the "war" effort regard as a contemptuous attitude on the part of Federal officials.

Following are examples of the controversy and complaints to which the attempt to stamp out poverty is giving rise in various parts of the United States.

In Omaha, Nebr., an angry stir was created by a "confidential" report prepared by a poverty-war official from Washington.

The report said the Omaha citizens who volunteered to help get the program started were "power-structure types," "gray-lady types" and "white do-gooders."

The document was prepared by Jack Williams, a special agent of the Office of Economic Opportunity, who was sent to investigate Greater Omaha Community Action, Inc., the area's planning organization for the war on poverty.

Although the OEO refused to release Mr. Williams' report for publication, "the Omaha World-Herald" obtained a copy and published it—along with some pungent editorial comment.

Mr. Williams described the Omaha "power structure" as a "triumvirate of corporations," of which he mentioned only one, the Northern Natural Gas Co.

The report said that both the 50-member GOCA council and its 15-member board of directors were "topheavy with power-structure types." Mr. Williams observed also that the council membership "includes many well-meaning 'gray-lady' types."

AMONG NEGROES: SKEPTICISM

The Federal official said that "there is no confidence in GOCA by the Omaha Negro community."

The report was less than flattering to J. Alan Hansen, president of the GOCA council and personnel director of Northern Natural Gas. Mr. Williams had this comment:

"Hansen is somewhat weak in his orientation toward the poor—sort of an Edgar Eisenhower Republican—and he's deep in the gray-flannel-suit corporate in-fighting of the company. * * *

"Ken Young, the Negro vice president of GOCA, wants to quit now because he views Hansen as a weak reed who will inevitably quit, and Young doesn't want to be in the heir-apparent position when that happens. Mr. Young also caught a good deal of flak as an 'Uncle Tom' because of his continued involvement with GOCA as its critics grew.

"These two resignations, if they happened together, would be a serious blow to GOCA. Hansen would lead the white do-gooders off the board, and the departure of Young would probably make it tactically impossible for any other Negro to remain with GOCA."

NEWSPAPER'S LAMENT

In its editorial, the World-Herald said:

"GOCA commanded substantial backing and respect among Omahans largely because of the kind of leadership it had—including many good citizens, both white and Negro.

"But how innocent these Omahans were. They have now learned from Mr. Williams that white citizens who have given of their time and energy are gray-flannel suit types and gray-lady types or merely white do-gooders. And responsible members of the Negro community are called Uncle Tom, simply for being associated with GOCA.

"The report has angered some Omahans. Perhaps it has dismayed a great many others as they reflect that the clairvoyant Mr. Williams is a representative of the great new antipoverty bureaucracy that has a great deal of the taxpayers' money to spend."

Crime involving Job Corps trainees is a major headache for officials of the antipoverty program.

Some recent incidents:

Five Negro youths from the Camp Gary Job Corps training center at San Marcos, Tex., were arrested in connection with an attempted robbery and the shooting of two U.S. Air Force military policemen at San Antonio.

One of the wounded airmen may be permanently blinded. The other was shot in the stomach and hand. The airmen are white.

At Camp Atterbury, Ind., seven Job Corps enrollees were arrested on charges of sexual assault on another trainee.

Two other Job Corps youths at Camp Atterbury were charged with assault after they allegedly injured two fellow trainees in fights.

A newspaper in Columbus, Ind., reported that youths from Camp Atterbury had attempted to buy guns while on leave from the camp.

Two dropouts from the Job Corps were arrested on burglary charges near Cotulla, Tex.

The Job Corps policy of using Federal funds to hire attorneys for enrollees accused of crimes has come under fire.

Noting that the taxpayers are footing the bill for defense of the youths involved in the San Antonio shooting, a Texas columnist pointed out that when members of the Armed Forces are in trouble with the law, they must hire counsel with their own funds, or, if broke, accept court-appointed lawyers.

The crime problem in the poverty war is not confined to the Job Corps.

A raid on a job-retraining center at Poughkeepsie, N.Y.—a project set up under the Manpower Development and Training Act—had this result:

Three men were charged with possession of marijuana. Four were accused of possession of knives. One was charged with possession of obscene literature.

Racial antagonism is one cause of violence at Job Corps camps.

Fights between white and Negro youths at the training center in Tongue Point, Oreg., resulted in a request by Oregon's Gov. Mark Hatfield for a Federal security force to prevent more serious outbreaks.

The camp administrator said that fighting erupted when white enrollees used disparaging language about Negro trainees.

At Lewiston, Calif., site of California's first Job Corps camp, citizens, at a protest meeting, accused the Job Corps of reneging on promises that no youths with criminal records would be assigned to the camp.

Lewiston residents also complained of such incidents as the knifing of one Job Corpsman by another, gunplay in a parking lot, and purchases of liquor for teenage enrollees.

Recruiting procedure for the Job Corps has drawn widespread criticism.

The Government, besides using the U.S. Employment Service, pays some private employment agencies $80 for every youth accepted as a trainee.

One charge made is that some agencies, in order to collect as many $80 fees as possible, often conceal from Government screeners the fact that some applicants have criminal records.

Standards for admission to the Job Corps—which is expected to number 40,000 by the end of this year—specifically bar criminals, drug addicts, and youths with serious emotional or psychological disorders.

Nevertheless, it is charged, hundreds of youths who have been involved in serious crimes have turned up at the camps.

Another complaint is that $80-a-head recruiters lie to prospective enrollees about the type of training which is available and give them a false impression that life in the Job Corps is a "country club" existence.

A storm of unfavorable publicity has swirled around the women's Job Corps training center set up in a resort-type hotel at St. Petersburg, Fla.

Complaints of noise and disorder at the Center prompted the St. Petersburg city council to ask the Government to vacate the premises.

The antipoverty program is paying $225,000 to rent the hotel for 18 months. The market value of the property has been estimated at $150,000 to $200,000.

Senator STROM THURMOND, representative of South Carolina, had this comment on the St. Petersburg training center:

"The girls get little training, but do get $30 spending money and $50 put in the bank each month, special bus transportation to the bank and downtown, and maid service. They are not even required to help serve their own food.

"On the staff for this one project are 122 persons who are paid more than $680,000 per year. These employees have little experience in the type work required. Many of the staff have resigned their well-paying jobs in disgust. Many of the trainees in this integrated project have been dismissed for chronic misbehavior, including fighting and drunkenness."

The staff at the center adds up to one full-time employee for every two girls. According to one calculation, expenditures for each girl—including housing, food, training,

transportation, and pay—run to $7,000 a year—considerably more than the cost of sending a girl to college for a year.

Complaints of political favoritism resulted in the shutdown of a Neighborhood Youth Corps project in Macoupin County, Ill.

Ernest Reiher, an editor of the weekly Carlinville Democrat, charged that most of the youths in the project were ineligible.

Mr. Reiher said that some of the selections were made on the basis of political preference and favored children of families that voted Democratic.

Investigation then disclosed that 80 of the 200 enrollees in the project were ineligible.

A spokesman for the Illinois Farmers Union, which administers the antipoverty summer work programs in 32 Illinois counties, said on August 10:

"We definitely tried to go too fast on the thing. We put too many to work too fast. We put far too many to work in some places. There definitely was a misunderstanding on the local level."

Said J. M. Watson, Illinois coordinator of the Neighborhood Youth Corps: "There was some political favoritism."

The youths were being paid $1.25 an hour for 32 hours of work a week, the national rate in the Youth Corps.

A comment by Representative RICHARD L. ROUDEBUSH, Republican, of Indiana, on a Veterans' Administration directive authorizing treatment for Job Corps members in VA hospitals: "Every admission of a Job Corpsman takes a bed away from a veteran."

The frustrations experienced by one city in its attempts to cooperate in the Government's war on poverty are recounted in an editorial that appeared in the Denver Post on July 20.

Excerpts from the editorial, which was entitled "Open Letter to Sargent Shriver":

"DEAR SARGENT SHRIVER: For nearly 6 months, Denver has been trying to get your poverty agency to approve a plan for a neighborhood health center to help people in slum areas in this city overcome some of the health problems that keep them poor.

"For everyone involved in this effort, the experience of dealing with your agency has had a nightmarish quality about it and the kind of maddening frustrations appropriate for a novel by Kafka.

"As you know, the frustration became so intense last spring that Denver's Mayor Currigan felt obligated to complain about it to the Vice President of the United States and threatened to keep Denver out of the program altogether.

"Poverty officials in Denver complain that a long series of vague and sometimes contradictory messages from Washington left them thoroughly confused about what your agency wanted.

"At one point, they say, they were told that the proposal was about to be approved; later, that it would need only minor revisions; still later, that it would have to be revised entirely * * *

"What do you want from us, Mr. Shriver? What can you accomplish with all this delay except to keep these extra health services from the poor of Denver and disillusion the people of this city with the war on poverty? * * *

"This newspaper has supported the poverty program from the beginning, and we would like to go on supporting it. But the example we have had so far of redtape and delay is enough to sour anyone on the whole program."

A poverty-war program that is causing more and more controversy is Project Head Start, in which Federal funds are used to underwrite costs of preschool training for children of the "hard core" poor.

With the handling of this project his target, Representative CHARLES R. JONAS, Republican of North Carolina, described what he called "a glaring example of extra cost whenever the Federal Government insists on handling a local program out of Washington."

Mr. JONAS, pointing out that his State already had such a program in operation financed by non-Federal funds, said that North Carolina applied for Federal money to expand the program, only to have the application rejected. The Congressman added:

"The sole reason advanced by the Director of Project Head Start for rejecting the North Carolina plan was that our plan was based on State administration of the funds and program.

"It apparently did not matter to the Federal officials that the North Carolina program had been conducted by professional and trained public-school teachers at a cost of $30 per child and that the federally directed program would cost $170 per child.

"They were not interested in expanding a well-established and efficiently operating program which would cost $140 per child less than the Federal program, but their concern was to retain control and direction of the program in the hands of Federal officials."

A complaint about Project Head Start expressed by educators in Boston:

Children of hard core poor families are not being reached by the project because, as one teacher put it: "Nobody in their families cares enough to put them in it."

A private day-care center for children of working parents in Indianapolis has complained that some of its teachers have been lured by higher salaries to an antipoverty preschool program.

An incident at San Antonio, Tex., reported in the San Antonio News:

A San Antonio physician refused to participate in a medical-examination program for children involved in Project Head Start because she objected to the speed with which the youngsters were being processed.

The physician said that some 100 children were rushed through in 1 hour. The school district involved, which handles funds for the project, pays $5 for every 20 examinations. The San Antonio physician said that tests required by the Federal Government could not be completed properly at the pace set.

Adverse comment has been created in some areas by the antipoverty program's practice of paying teachers' salaries higher than those paid in public school systems.

Typical of this comment is a statement by a Texan, referring to the academic staff at a Job Corps center:

"They have pulled out of the school system good instructors and teachers with master's degrees. These teachers are sorely needed in our public schools. There is quite a lot of dissension among teachers about the difference between their salaries of $5,000 and the $9,000 a year paid at Camp Gary."

A prominent Negro educator, Lester B. Granger, of Dillard University, New Orleans, called the antipoverty program a "slaphappy, sloppy, wasteful procedure." Mr. Granger told the National Urban League convention:

"The fat should be taken out of it. We are going to waste two-thirds of the funds going into it, just like the New Deal. This doesn't mean I don't support it. If we get even one-third out of it, it would help."

The spreading complaints about the way the poverty war is run have been echoed in strong criticism in Congress, by Members of both parties.

Some examples from the CONGRESSIONAL RECORD:

Representative DONALD D. CLANCY, Republican, of Ohio, branded the war "an obvious fiasco." Mr. CLANCY said: "There is hardly an aspect of the program that has not become mired in waste and utter confusion."

Representative EDWARD J. GURNEY, Republican, of Florida: "Funds have been given out without investigation to sham groups, in areas where poverty is almost unknown."

Mr. GURNEY said that in one such area, in Ypsilanti, Mich., "over 90 percent of the population own their own homes, nearly everyone has at least one car and a TV set, and the average family income is just dollars short of $8,000."

A sample of political in-fighting in the antipoverty operation was given by Representative LEONARD FARBSTEIN, Democrat, of New York. Assailing William F. Haddad, the program's inspector general, Mr. FARBSTEIN told the House:

"He is the gentleman who ran against me last year and has stated publicly that he is going to run again. Now it is my opinion that he is subverting parts of this program for his own personal political gain. I think he is attempting to build a personal political organization out of poverty funds."

In spite of the rash of criticism in Congress and from around the country, the heavily Democratic Congress insists upon giving Mr. Shriver more spending authority than he said he needed to expand the war against poverty.

In so doing, the legislators disregard such comment as that of Representative ALBERT H. QUIE, Republican, of Minnesota, who said:

"This program could become not just a national disgrace, but a national catastrophe."

A POVERTY WAR PROJECT UNDER FIRE: TRAINING SCHOOL FOR "AGITATORS"?

SYRACUSE, N.Y.—Bitter controversy is being created here by an antipoverty project which teaches techniques of organizing the poor.

The project—financed in large part by Federal funds under the poverty program—is the Community Action Training Center at Syracuse University.

The center's director, Prof. Warren C. Haggstrom, says that its object is to "create organizations among low-income groups that can achieve power and exercise it in their self-interest."

Techniques taught in the project here are expected to be applied across the country.

The mayor of Syracuse, William F. Walsh, charges that the main purpose of the center is to train agitators. Mayor Walsh says the center teaches "Marxist doctrines of class conflict."

Serving as a paid consultant and lecturer in the action training program is Saul D. Alinsky, self-styled "professional radical," who has been a militant organizer of Negroes in Chicago and other cities.

As part of its program, the center has made the Syracuse Housing Authority a target.

Tenants of low-income housing projects, organized by trainees at the center, have picketed and staged a sit-in to force various improvements in their living conditions.

On August 10, a delegation of tenants met with the housing authority and presented a long list of new grievances.

At the end of a 3-hour session, Charles A. Walker, one of the housing authority's five commissioners, said he did not believe that the meeting would have positive results "because the organizers, those troublemakers at the center, won't allow it."

One organizer was arrested on a trespass charge when he entered a housing project to attend a tenants' meeting. He was acquitted, then brought suit against the authority, charging false arrest.

The center began operations this spring. The training program requires a full year of participation. The center's official prospectus says that applicants for enrollment "should have a controlled but intense anger about continued injustice and should be committed to hard work for people who are grappling with apparently overwhelming problems."

Among topics listed for discussion:

"The extent to which programs of community development and urban renewal

benefit affluent persons at the expense of low-income areas.

"Consequences of poverty programs intended to make the poor less troublesome to the affluent."

Mr. Alinsky's connection with the project has drawn much criticism. Critics cite his comments on the poverty war, published in the July issue of Harper's magazine. He said that "the poverty program is turning into a prize piece of political pornography * * * a huge political pork barrel, and a feeding trough for the welfare industry."

Mr. DOMINICK. Mr. President, I do not have very much more to say on this subject, but I wish to outline what the bill would do.

Under title I of the bill last year, there was authorized $412.5 million. This includes the Job Corps work training program and the work study program. There was appropriated $371.5 million, which is $40 million less than was authorized.

This year, the request is for a total of $535 million—in other words, $180 million more in the title I program, in round figures, than last year.

Mr. LAUSCHE. Mr. President, will the Senator from Colorado yield for a question?

Mr. DOMINICK. I am glad to yield to the Senator from Ohio.

Mr. LAUSCHE. Earlier in his discussion, the Senator from Colorado gave the figures as to what his amendment would do; that is, he told us by what amount it would be cut, and that, after the cut, there would still be 30 percent more than was available elsewhere; is that not correct?

Mr. DOMINICK. Thirty-eight percent more, I believe it is.

Mr. LAUSCHE. Thirty-eight percent more. Can the Senator give me any information as to what the original budgetary request was on this item, and whether it was raised in the House or not?

Mr. DOMINICK. Yes; the original budgetary item——

Mr. LAUSCHE. I am speaking with reference to the whole subject.

Mr. DOMINICK. Yes. It was $1½ billion. The House raised it to $1,895 million, which added $395 million to it. The bill as reported to the Senate then added $150 million to the budget request, which makes the figure more than twice what was spent last year. The House figure was 2½ times what we spent last year.

Mr. LAUSCHE. Then the Senator proposes to cut the amount which, after the cut is made by his amendment, will still be 38 percent more than was available last year; is that not correct?

Mr. DOMINICK. The Senator is correct.

Continuing with the breakdown, in title II, last year, $340 million was authorized, and $259 million was appropriated—a difference of approximately $81 million in that figure. The proposed bill would bring this up to $880 million, counting in the Nelson amendment.

My amendment would leave it at $490 million, $150 million more than was authorized last year.

With respect to title II, or the community action programs, including the adult basic education program, many mayors have advocated that all community action programs be eliminated entirely because they are too often used as political weapons, instead of doing something for the poor.

Under title III last year we authorized $35 million and actually spent $40 million. This is more than the authorization. It was done because authority was given to the Director to move $15 million from one program to another.

This takes care of the rural loans and migrant workers. My amendment would bring the figure back to $35 million.

Title V—$150 million was put in the authorization, and only $112 million was spent, or some $38 million less than was authorized. My amendment would bring it back to $150 million.

Title VI—$10 million was authorized for administration; $9.7 million was actually spent. The bill proposes that we put in $30 million for this purpose. We triple the authorization for administration. This is one of the weakest points in the whole bill, not because of lack of money, but because of the way it is being administered.

I would bring the figure back to $10 million. Our primary purpose is to provide money to help the poor, not the bureaucrats. That is what we are really trying to do.

Mr. McNAMARA. Mr. President, the general increase in authorizations provided in the bill reflects two primary considerations. First, all programs last year operated only over a 9-month period. Second, none of these programs existed at all before last year. Each started from scratch—at zero. If we are to carry these same programs over the present year we must therefore do more than just provide funds for a full 12 months. We must also recognize that each of these programs started this year with a capability that did not exist when they started operations last year.

Last year we began with no organization, no procedures, no Job Corps centers in operation, no community action agencies, no approved State plans. All of these things now exist. They represent resources that have been created. They should be used.

This year, each month, we should be able to do just a little better than we did in a comparable month last year in reaching the 35 million people living in poverty. Certainly, there is nothing unreasonable in this. Certainly, we cannot afford to do less.

I would like to make it clear that the authorizations in the bill are designed to allow leeway for many program improvements. They are framed on the proposition that there should be time for staff and effort that is not focused simply on producing more and more grants. In fact, if we were talking about sheer production—about what is mathematically possible on the basis of the program rates attained last year—we would not be talking about a $1.5 billion authorization. We would be talking about a $2 billion or perhaps even a $4 billion authorization.

Mr. President, the House bill, which is primarily before us, with some revision having been made by the Senate committee, called for the amount of $1,895 million. The bill now before us, as it comes from the Committee on Labor and Public Welfare, calls for $1,650 million. It has already been substantially reduced from the amount of money authorized by the House. The administration has authorized the appropriation of one and a half billion dollars. This amount has been approved by the Bureau of the Budget, and our committee added $150 million to one item, to bring the sum total to $1,650 million.

I hope the amendments of the distinguished Senator from Colorado will be rejected.

Mr. THURMOND. Mr. President, H.R. 8283, the "Economic Opportunity Amendments of 1965," constitutes the most flagrant abdication of responsibility by the Congress to date.

The program has been in operation for a year, and its history provides a catalog of futility, abuses, political partisanship, wastefulness, slipshod administration and scandal.

Salaries and administrative expense are out of all rational proportion. There is a proliferation of supergrade positions, having reached a proportion of 1 to 18 employees, compared to the ratio of 1 supergrade position to 1,000 employees in the Department of Defense. It is reported that in one county in New Jersey, that out of a grant of $67,000, all but $15,000 was earmarked for salaries and administrative expenses.

The taxpayers' money is being squandered on an unprecedented scale even for this fiscally irresponsible administration. In the Head Start program, expenses are running as much as $275 per pupil for 3 months preschool instruction, equal to the cost-per-pupil per full school year in the public schools, in communities where the monthly tuition in established kindergartens is only $18.

In its first year of operation, the war on poverty has proved to be a political grab bag and a program to finance a war on the existing political and social order in the United States. Even the liberal New York Times, in an editorial review of the poverty centers in New York, concluded that "there is at least as much basis for fear now that the centers will turn into launching pads for systematic political warfare against city hall, the schools, and all established society."

The Job Corps camps established by the poverty czar have repeatedly provided public scandal headlines for the press.

In St. Petersburg, Fla., the Women's Job Corps Training Center, housed in a plush oceanside hotel rented for $12,500 per month, was revealed to be little more than a paid vacation at the beach for the approximately 125 girls between ages 16 and 21 residing there. The girls get little training, but do get $30 spending money and $50 put in the bank each month, special bus transportation to the beach and downtown, and maid service. They are not even required to help serve their own food. On the staff for this one project are 122 persons who are paid more than $680,000 per year. These employees have little experience in the type work required. Many of the staff have resigned their well-paying jobs in disgust. Many of the trainees in this integrated project have been dismissed for

chronic misbehavior, including fighting and drunkenness.

It is quite symbolic, Mr. President, that the directorship of this billion-dollar fiasco rates as only a part-time job. It is indeed remarkable, however, that any bureaucratic administrator could so foul up even such an ill-conceived program as the war on poverty when he only works at it part time.

Faced with such a miserable mess, the majority of the House of Representatives and the majority of the Senate Committee on Labor and Public Welfare have come up with two major changes—double the money being squandered and eliminate the minor, but only sensible brake on the program, the Governor's veto. It is almost beyond belief, but this horrendous program is in the process of being made worse.

There is only one sensible remedy, only one responsible remedy—to reject the bill and the entire program. The Senate should vote the bill down.

Mr. PROUTY. Mr. President, I should like to have the attention of the distinguished junior Senator from Colorado. Do I correctly understand that the Senator has requested and has been granted a yea-and-nay vote on his amendment?

Mr. DOMINICK. The Senator is correct.

Mr. PROUTY. Since Senators will have to be present in the Chamber for the vote, I wonder if it would not be wise to have a live quorum call with the understanding that the Senator from Colorado would then have 2 or 3 minutes in which to explain his amendment and then ask for the vote.

Mr. DOMINICK. What the Senator from Vermont has suggested is an eminently sound and sensible move, and I shall suggest the absence of a quorum.

Mr. PROUTY. Mr. President, before the Senator does so, will he yield?

Mr. DOMINICK. I am happy to yield.

Mr. PROUTY. I made the suggestion because many Senators are busy in committees. They do not and will not know what the amendments proposed are. I believe that the amendments of the Senator from Colorado are highly important, and, therefore, I am delighted that the Senator is willing to suggest the absence of a quorum.

Mr. DOMINICK. I thank my friend from Vermont. I, too, believe that it is a sensible suggestion, and I assure Senators on the other side of the aisle, including the distinguished Senator from Michigan [Mr. McNamara], that we are not following the proposed procedure for the purpose of delay. I merely wish Senators to know what they will be voting on before they are required to vote.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. JAVITS. I believe that the Senator from Colorado has taken an extraordinarily modest amount of time for what in his judgment and in the judgment of many others represents an important question which should be probed and answered. The Senator need have no self-consciousness whatever for doing what he is doing.

Mr. DOMINICK. I thank the distinguished Senator from New York.

Mr. President, I intend to suggest the absence of a quorum——

The PRESIDING OFFICER. Does the Senator from Colorado request that he be permitted to suggest the absence of a quorum without losing his right to the floor?

Mr. DOMINICK. Mr. President, I ask unanimous consent that, despite the fact that the yeas and nays on the amendment have been ordered—and I assure Senators that I shall not take more than 3 minutes when Senators arrive in the Chamber—I may be permitted to suggest the absence of a quorum without losing my right to the floor.

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

Mr. DOMINICK. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 211 Leg.]

Aiken	Hayden	Murphy
Allott	Hickenlooper	Muskie
Anderson	Hill	Nelson
Bartlett	Holland	Pastore
Bass	Hruska	Pearson
Bayh	Inouye	Pell
Bennett	Jackson	Prouty
Bible	Javits	Proxmire
Boggs	Jordan, N.C.	Randolph
Brewster	Jordan, Idaho	Ribicoff
Burdick	Kennedy, Mass.	Robertson
Byrd, W. Va.	Kennedy, N.Y.	Russell, Ga.
Cannon	Kuchel	Russell, S.C.
Carlson	Lausche	Saltonstall
Case	Long, Mo.	Scott
Cooper	Long, La.	Simpson
Cotton	Magnuson	Smathers
Dirksen	Mansfield	Smith
Dominick	McClellan	Stennis
Douglas	McGovern	Symington
Eastland	McIntyre	Talmadge
Ellender	McNamara	Thurmond
Ervin	Metcalf	Tower
Fannin	Miller	Tydings
Fong	Mondale	Williams, N.J.
Fulbright	Monroney	Williams, Del.
Gore	Montoya	Yarborough
Gruening	Morse	Young, N. Dak.
Harris	Morton	Young, Ohio
Hart	Moss	
Hartke	Mundt	

The PRESIDING OFFICER. A quorum is present.

Mr. DOMINICK. Mr. President, I appreciate the courtesy of the Senator from Michigan in permitting me to call this live quorum. I told him at the time I would only take 3 minutes to explain my amendments when more Senators were present, and then the Senate could vote.

I shall give a breakdown of my amendments.

Last year under title I of the program Congress appropriated $371.5 million. My amendments, if adopted, would authorize $412.5 million, which is considerably more than was appropriated.

Under title II of last year, Congress appropriated $259.1 million. My amendments, if adopted, would authorize $490 million.

Last year under title III Congress appropriated $40.7 million. If my amendments were adopted, they would authorize at this time $35 million, with the right of the Director to transfer $15 million from other programs to the rural program.

Under title V last year Congress appropriated $112 million. My amendments, if adopted, would authorize $150 million.

Under "Administration" last year $9.7 million was appropriated. Under my amendments, $10 million would be authorized.

If my amendments were adopted, an expansion of some 38 percent, over what was spent last year would be permitted. At the same time there would be a cutting back on what is proposed by approximately $630 million, so there would be a substantial reduction in the proposed authorization but a substantial increase in what was spent last year.

Mr. COOPER. Mr. President, will the Senator yield for a question?

Mr. DOMINICK. I yield.

Mr. COOPER. What is the difference between the authorization asked for this year and the amount provided in the Senator's amendments?

Mr. DOMINICK. The amount authorized last year was $947.5 million. My amendments, if adopted, would add $150 million. The bill as proposed would authorize $1,650 million.

Mr. COOPER. I thank the Senator from Colorado.

Mr. DOMINICK subsequently said: Mr. President, immediately prior to the last vote, on my amendment, I was discussing in summary form what the adoption of my amendment would do. I have a table which I ask unanimous consent to have printed in the RECORD immediately following my remarks at that point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Breakdown of authorization under Dominick amendment

[Dollars in millions]

Title	Appropriated in fiscal 1965	Authorization under Dominick amendment	Amount of increase	Percent of increase	Proposed committee authorization
I. Youth programs	$371.5	$412.5	$41.0	11	$535
II. Community action programs	259.1	[1] 490.0	230.9	89	880
III. Rural programs [2]	[2] 40.7	[2] 35.0			55
V. Work experience	112.0	150.0	38.0	34	150
VI. Administration	9.7	10.0	6.3	3	30
Total	793.0	1,097.5	304.5	38	1,650

[1] This includes an increase of $150 million for the Nelson amendment.

[2] Title III–c of the act authorizes the Director to spend up to $15 million from other parts of the act to carry out pt. B of title III. Therefore, although the authorization under the Dominick amendment would be less than last year's appropriation, the actual spending on title III programs might exceed the authorization of $35 million.

NOTE.—Adoption would place authorization $304.5 million over 1965 expenditures and $552.5 million less than proposed committee authorization.

Mr. McNAMARA. Mr. President, a few minutes ago I commented on the amendments of the Senator from Colorado by stating that the amount recommended by the Committee on Labor and Public Welfare was reasonable and realistic.

To cut back the program to the level of authorizations presently existing would do immeasurable harm to the war on poverty.

We have heard many complaints about the program—some of them real, some of them fanciful.

As I have stated before, this is a new program in existence for less than a year.

I believe the program has made remarkable progress.

However, it would be totally inconsistent, even with the complaints that have been voiced against the program, to put the Office of Economic Opportunity in a financial straitjacket.

The amounts recommended by the committee are in line with the President's budget, and the needs of OEO. They are below the amounts recommended in the House bill by $245 million—almost a quarter of a billion dollars.

We must give OEO an opportunity to carry out the assignments given it by the President and by Congress. Therefore, I sincerely hope the amendments of the distinguished Senator from Colorado will be defeated.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. McNAMARA. I yield.

Mr. WILLIAMS of Delaware. How does the Senate bill compare with the President's recommendation?

Mr. McNAMARA. It contains the President's recommendation plus $150 million added in committee.

Mr. WILLIAMS of Delaware. It is $150 million over the President's recommendation?

Mr. McNAMARA. That is correct.

The PRESIDING OFFICER. The question is on agreeing to the amendments of the Senator from Colorado. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Connecticut [Mr. DODD], the Senator from Wyoming [Mr. McGEE], and the Senator from Oregon [Mrs. NEUBERGER] are absent on official business.

I also announce that the Senator from Virginia [Mr. BYRD], the Senator from Idaho [Mr. CHURCH], the Senator from Pennsylvania [Mr. CLARK], the Senator from Minnesota [Mr. McCARTHY], and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

On this vote, the Senator from Virginia [Mr. BYRD] is paired with the Senator from Pennsylvania [Mr. CLARK].

If present and voting, the Senator from Virginia would vote "yea" and the Senator from Pennsylvania would vote "nay."

On this vote, the Senator from Connecticut [Mr. DODD] is paired with the Senator from Nebraska [Mr. CURTIS].

If present and voting, the Senator from Connecticut would vote "nay" and the Senator from Nebraska would vote "yea."

I further announce that, if present and voting, the Senator from Wyoming [Mr. McGEE] would vote "nay."

Mr. KUCHEL. I announce that the Senator from Nebraska [Mr. CURTIS] is necessarily absent because of death in the family.

On this vote, the Senator from Nebraska [Mr. CURTIS] is paired with the Senator from Connecticut [Mr. DODD].

If present and voting, the Senator from Nebraska would vote "yea" and the Senator from Connecticut would vote "nay."

The result was announced—yeas 40, nays 51, as follows:

[No. 212 Leg.]

YEAS—40

Aiken	Hickenlooper	Robertson
Allott	Hill	Russell, Ga.
Bennett	Holland	Russell, S.C.
Boggs	Hruska	Saltonstall
Carlson	Jordan, N.C.	Scott
Cooper	Jordan, Idaho	Simpson
Cotton	Kuchel	Stennis
Dirksen	Lausche	Talmadge
Dominick	McClellan	Thurmond
Eastland	Miller	Tower
Ellender	Morton	Williams, Del.
Ervin	Mundt	Young, N. Dak.
Fannin	Murphy	
Fong	Pearson	

NAYS—51

Anderson	Hayden	Morse
Bartlett	Inouye	Moss
Bass	Jackson	Muskie
Bayh	Javits	Nelson
Bible	Kennedy, Mass.	Pastore
Brewster	Kennedy, N.Y.	Pell
Burdick	Long, Mo.	Prouty
Byrd, W. Va.	Long, La.	Proxmire
Cannon	Magnuson	Randolph
Case	Mansfield	Ribicoff
Douglas	McGovern	Smathers
Fulbright	McIntyre	Smith
Gore	McNamara	Symington
Gruening	Metcalf	Tydings
Harris	Mondale	Williams, N.J.
Hart	Monroney	Yarborough
Hartke	Montoya	Young, Ohio

NOT VOTING—9

Byrd, Va.	Curtis	McGee
Church	Dodd	Neuberger
Clark	McCarthy	Sparkman

So Mr. DOMINICK's amendments were rejected.

Mr. McNAMARA. Mr. President, I move that the vote by which the amendments were rejected be reconsidered.

Mr. ANDERSON. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 387

Mr. JAVITS. Mr. President, I send to the desk a modified version of my amendment No. 387.

The PRESIDING OFFICER. The amendment will be stated.

Mr. JAVITS. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with and that the amendment be printed in the RECORD.

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

The amendment, ordered to be printed in the RECORD, is as follows:

DISAPPROVAL OF PLANS

SEC. 15. Section 209(c) of the Economic Opportunity Act of 1964 is amended by (1) inserting "of part B" before "of title I" and (2) striking out "and such plan has not been disapproved by him within thirty days of such submission" and inserting in lieu thereof "and such plan has not been disapproved by the Governor within thirty days of such submission, or, if so disapproved, has been reconsidered by the Director and, after public hearing in which the Governor or his authorized representative is given an opportunity to appear, found by the Director to be fully consistent with the provisions and in furtherance of the purposes of this part".

Mr. JAVITS. Mr. President, while Members of the Senate are present——

Mr. AIKEN. Mr. President, may we know what the modification is?

Mr. JAVITS I will explain the amendment.

Mr. AIKEN. And the modification.

Mr. JAVITS. It is not a modification. It differs from the printed amendment only by inserting page, line, and section numbers. There is no other modification in the amendment. The amendment deals with the question of veto by Governors of community action programs in their States.

The range of choice before the Senate on this issue will be complete, because I understand it to be the intention of my colleague, the Senator from Arizona [Mr. FANNIN], to offer as a substitute for my amendment the amendment which he offered in committee.

I want to point out the complete range of choices which will be offered for Senators to make. The first is to eliminate the Governor's veto altogether in relation to community action programs. The Senator from Texas [Mr. YARBOROUGH]—who can correct me if I am in error—proposed an amendment to remove the veto by Governors in community action programs. But it retained the Governor's veto for VISTA and the Job Corps. It was adopted by a close vote of 8 to 7 in committee and incorporated in the bill. That is what the bill now before us provides.

My amendment proposes to insert into the bill a provision which allows a veto of community action programs by the Governor, but the Governor, having vetoed, may be overruled by the Director of the Office of Economic Opportunity after public hearing. That is the second choice available to the Senate, which is incorporated in my amendment.

The third choice available to the Senate is to restore the original provisions of the act, which provides a Governor's veto of community action programs, by striking out the provision in the bill relating to that subject. That choice will be proposed in an amendment by the Senator from Arizona [Mr. FANNIN]. So the Senate will have before it an opportunity to vote to retain the system now in the law. The first vote will be on this question.

On the second vote, Senators will have a choice to adopt what I recommend, namely, allowing the Governor to veto, but permitting him to be overruled by the Director, after a public hearing.

The third choice, which is presented if both amendments are rejected, is to vote to end the veto on community action

programs altogether. That provision has been reported by a one-vote margin by the Committee on Labor and Public Welfare.

Let me point out what the House did. This is very important. The House adopted my plan of allowing the Governor to veto, but giving the Director power to overrule the veto, but it did not provide for a public hearing before the Director could do so. The only change I have made in the House provision—or compromise, if we may call it that—is to include provision for a public hearing. Other than that, there is no change.

So, for all practical purposes, it can be said that I am offering the Senate an opportunity to vote on the House provision; the Senator from Texas [Mr. YARBOROUGH] is offering the Senate what is in the bill before the Senate, striking out the veto provision altogether in community action programs; and the Senator from Arizona [Mr. FANNIN] will offer the Senate the choice of restoring to the bill what is now in the law.

To say a word on the merits, it seems to me that there is something of a dilemma in Federal-State relations that makes such programs as this vulnerable. It is fair to say to Senators of judgment on both sides of the aisle that, because of the possibility of political influence, corruption, money waste, and inept administration, probably the range of peril to this program is as great as or greater than any domestic program which we have. Therefore, it seems to me the lines between the State and Federal Governments should in this area be respected.

A strong argument has been made on the question of the authority of the Office of Economic Opportunity as against an absolute Governor's veto. The argument has not been based upon the proposition that the Governor's veto power has actually been overused. In fact, the veto power has not been overused. Vetoes occurred only in Texas, Alabama, Florida, and Montana in the first year of the program. I would not consider that an overuse, considering the number of projects started, which the Director testified was approximately 5,000.

What the administration objects to most is that in some places the threat of the Governor's veto is constantly raised; that it is used as a basis for demanding that a particular program be shaped in a certain way; so that the Governor really shapes the program, rather than the Director of OEO or the applicant agencies; so that the Governor does not have to veto in order to control the program in his State. The essence of the argument is that permitting this to continue would depress the range, nature, and size of the community action programs which are established in a number of States. The Governor does not have to use the veto; the mere existence of the power to use it is enough. That is what the administration argues.

In an effort to resolve that dilemma and in an effort to deal with the incubus of a Governor's complete power to veto, taking into consideration State policies and attitudes which perhaps might be more conservative than otherwise, I have opposed the provision of an inflexible Governor's veto. I was regretful and rather rueful that last year, in the original antipoverty bill, the Director did not adopt a proposal I made on that score. In my opinion, he unwisely rejected it. The result was that the bill as passed provided for an absolute veto, and the Director could do nothing about it until the act came back before the Congress.

The amendment I have proposed is a compromise between those who say, "Do not worry about the Governors, because OEO consults with them," and those who say the Governor must have an absolute veto. Under my amendment the Governor can risk political damage by a veto. When a Governor vetoes a program, the Director can override the veto after a public hearing, which insures that the matter will be put in the public domain. I believe that would result in a salutory kind of action. I do not believe we ought to provide for an absolutely inflexible veto power by a Governor.

Mr. CASE. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. CASE. The Senator's solution to this vexing problem has seemed to me to be a very sound one. I have heard the argument that it will likely work when we are dealing with weak Governors, but in the case of intransigent Governors, such as Governor Connally, of Texas, it is not likely to be successful and the veto will have to be overridden.

I wish the Senator would comment on that point.

Mr. JAVITS. It depends on the strength of the Director. If we have a strong Director in Washington who is not afraid to take on a Governor in the public domain, he would have the power to handle it. If we have a weak Director, he should be fired if he does not feel convinced enough about the program to overrule an unjustified veto by a State Governor.

Therefore, I believe that the proposal would be effective, assuming that we have a degree of determination on both sides which is relatively equal. If we do not have that degree of determination in the Federal Establishment, we had better soon find out about it.

Mr. MURPHY. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I am glad to yield to the Senator from California.

Mr. MURPHY. There has been a recent meeting of the Governors. In their conference, approval was expressed on their part with only one abstention, which happened to be my Governor. In trying to find out the reason for his abstention, we find that the program is in such a confused state in California—the No. 1 State of the Union—that the Governor would rather not be involved in having to make decisions. This is the only reason I could get for his vote. This is indicative of the condition which exists, I believe.

Let me say to the Senator from New York that it is extremely important that the Governors be responsible to the people within their States. They should have a great deal to say about programs taking place within their States.

Mr. JAVITS. I appreciate very much the comments of the Senator from California. Let me point out to the Senate that naturally—and I do not use that word "naturally" invidiously—the Governors wish the veto retained exactly as it is in the law. If Governors could vote in the Senate today, they would vote to sustain the Senator from Arizona [Mr. FANNIN] and keep the veto as it is at present.

I refer to the fact that they adopted the resolution, as the Senator from California has just stated, at their Minneapolis, Minn., meeting, to that effect. I am sure that the Senator from Arizona [Mr. FANNIN] will, in the course of his argument, wish to put that resolution into the RECORD.

Mr. HICKENLOOPER. Mr. President, will the Senator from New York yield.

Mr. JAVITS. I yield.

Mr. HICKENLOOPER. I realize that the Senator from New York is trying to find some ground to satisfy the various elements, but it seems to me that if his amendment prevails, if there is a strong administrator, as he suggests, it makes a complete nullity of the so-called Governor's authority.

If there is a strong administrator, he is a strong bureaucrat. As such, history shows that he will override local interests in the interests of bureaucratic authority in Washington.

I cannot say that the Senator's amendment does anything except go through another round of motions. The last word lies in the administrator, if, for various reasons, sometimes obscure and sometimes plain, he is determined to put a great deal of money into a program in a State and goes right ahead to do it, regardless of what the Governor would say.

I therefore very much favor the Governor's veto in his own State, because I know of States where it is felt that a program is absolutely foolish and wasteful, and is not being properly directed, and for that reason the Governors feel that their influence must result in a proper application.

Mr. JAVITS. Let me say to the Senator from Iowa that I cannot endeavor to persuade him from his conviction with respect to the power of the Governor. I would not try to do that, but I can answer for my amendment.

I believe that no matter how strong a personality the Director my be, the requirement of a public hearing and the fact that a State Governor's veto would have to be overridden are in our society and the way we operate, a very effective sanction. I do not believe that we are likely to get a Director any stronger minded than the President of the United States; yet we know very well that, exposed to public feelings upon a given subject, even the President of the United States has, on occasion, given ground, and will again do so.

Therefore, I believe that the sanction which I have included, which allows the Governor to veto and affords a public hearing, enables a case to be made—the

way we are organized in this country—so that it would be tough for even the strongest administrator to fly in the face of the veto, unless he has a very good case. Anyone can be arbitrary, but, generally, if he is, an administrator does not last very long in Washington, or he finds many other things happening to him—such as what Appropriations Committees can do to him, what speeches made in the House and Senate can do to him—which can make life miserable.

The Senator from Iowa has had great experience in government. It seems to me that we have a mighty strong case if the Director is going to use his naked power to override a Governor's veto after a good case for that veto has been made in public hearings.

Mr. HICKENLOOPER. We have all seen many examples of powerful, sensible, and logical arguments being used against a proposal which is considered to be indefensible; yet a bureaucrat will override it and put it into effect, anyway. Those examples are numerous. It is often one of the characteristics of bureaucracy.

So far as I am concerned, I believe that we should be thinking more about permitting the people to manage their own affairs in their home areas, rather than from a remote spot in Washington. For that reason, I favor the Governor's veto being retained, as it is now.

Mr. JAVITS. One of the things which is troublesome about the existing tight Governors' veto provision, along the lines the Senator has been discussing, is that Governors—including the Governor of my own State—have been kept in the dark about programs until the programs were all completed and suddenly announced in Washington and then were submitted to them for approval within 30 days. Then the Governors had the very sad responsibility of either taking an entire program or leaving it, in the face of built-up public opinion within their States.

Mr. HICKENLOOPER. We have already had some experience along that line in my State. We have had busy people running around the State of Iowa searching for pockets of poverty. I have talked with some citizens in a certain county in Iowa, and they told me that those busy people had discovered a pocket of poverty in the county, that they had found a substantial number of people in the county who were poverty stricken.

This county happens to be one of the highest agricultural income counties in the State. When the people of that county found out about it, they expressed great surprise. They said, "If this is poverty, we certainly enjoy it, because we have been living 'high on the hog' here, and we did not know that we were poverty-stricken people."

Nonetheless, the Administrator says, "You are a poverty-stricken county and, therefore, we are coming in to pour money into your county." The people were astounded, because this was the first they had ever thought that they were living in a poverty-stricken area.

That is a characteristic of a bureaucracy. They have to have something to do to spend their money. They have to have something to do to carry out their programs. That is why I would prefer that the Governors have their veto. Even if they do not exercise their veto power, abuses may occur from time to time in various States.

Mr. JAVITS. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. JAVITS. I shall not detain the Senate much longer, but I should like to point out where the veto has been used in this past year. It has, to my knowledge, been used only four times.

It was used in Texas to veto a 30-county neighborhood youth corps rural project. It was used in Alabama to veto a community action program for Birmingham. It was used in Florida to veto a Head Start program for preschool children in Miami. It was used in Montana to veto a rural neighborhood youth corps project.

Mr. President, in conclusion, I lay before the Senate the fact that my amendment provides an opportunity for a fair compromise, going as far as we can to sustain the authority of the Governors in the States, and to put the Director of the antipoverty program to his proof, without giving the Governor the absolute power of life and death over community action programs. That is the main point of the proposal: enabling the United States to carry out some responsibility toward poverty within each State, if the case is strong enough, not only to convince the Director, but to stand up under the scrutiny of public opinion, which will come about through the public hearing provided for in my amendment.

Mr. McNAMARA. Mr. President, the majority of the Labor and Public Welfare Committee voted to eliminate the Governor's veto from the Neighborhood Youth Corps, Community Action and Adult Basic Education programs. You will recall that the veto was adopted on the floor of the Senate during the debate last year after several votes on various proposals to provide for review by the Governors. These votes were by narrow margins and indicated the careful consideration given the issue and the extreme division on the various proposals.

Some of the fears and arguments expressed then were the subject of extended discussion in committee when the action of last year was reversed. Specifically, the committee was concerned about the arbitrary use of the veto by some Governors to kill meritorious programs. Although the number of vetoes was small, I believe four, it was felt the threat of veto was used to alter programs to suit the taste of the State Governor in more cases. As we pointed out in the committee report, the veto gives the Governor discretion over local programs and affairs over which, under State law, he normally has no direct control and for which he is not directly responsible.

Since the Federal law prescribes no criteria, his discretion is unquestionable. Further, and most important, the veto power is without precedent in any Federal program where Federal assistance is given to a local community. A few examples of Federal programs dealing directly with municipality are: Community facilities, urban renewal, public housing, Federal aid to airports, and the impacted education aid program.

Mr. President. I submit that the Governor has no veto power over these programs, which are similar in nature, and the Governor should not have the veto power under the bill before us today.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. McNAMARA. I yield.

Mr. JAVITS. It is a fact, is it not, that the amendment which is in the bill was carried in committee by a vote of 8 to 7?

Mr. McNAMARA. I believe that was the vote in committee.

Mr. JAVITS. I thank the Senator.

AMENDMENT NO. 391

Mr. FANNIN. Mr. President, I call up my amendment No. 391, and offer it as a substitute for the pending Javits amendment No. 387.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 20, strike out lines 1 to 4, inclusive. Renumber sections 16 to 31 as 15 to 30, respectively.

Mr. FANNIN. Mr. President, I ask unanimous consent that the following Senators be listed as cosponsors of the amendment: CARLSON, DOMINICK, HRUSKA, JORDAN of Idaho, MURPHY, PROUTY, PEARSON, COTTON, SCOTT, LAUSCHE, DIRKSEN, SALTONSTALL, TOWER, MILLER, THURMOND, and HOLLAND.

Mr. SIMPSON. Mr. President, I should like to join the Senator as a cosponsor.

Mr. FANNIN. And also the Senator from Wyoming [Mr. SIMPSON].

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

Mr. FANNIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. FANNIN. I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. FANNIN. Mr. President, this is a simple amendment, to restore the language of section 209(c) of the Economic Opportunity Act to its original form as enacted by Congress last year.

I shall make only a short statement at this time. I consider it a highly important amendment. It has the almost unanimous support of the Governors' conference.

Section 209(c) gave the Governors of the States a veto power over community action, Neighborhood Youth Corps, and adult basic education programs proposed by the Director of the Office of Economic Opportunity.

The language of the bill as amended and passed by the House last month virtually wiped out this veto authority by giving the OEO Director power to over-

ride any veto after review. Obviously, this would give the Governors only a limited power of veto at best.

Unfortunately, however, the Senate Committee on Labor and Public Welfare has gone even further. Over minority objection, the committee has recommended language which completely eliminates any vestige of the veto authority granted to the Governors in the existing law. They could not even force a review or delay of any project proposed in their States.

The mere presence of the veto power in the act—even if it is never used—assures that the views and experienced counsel of the respective Governors will be considered in the planning of such projects. This is as it should be.

Without the ultimate power of the veto, there is not even a semblance of State participation or cooperation provided for in the law. Even if a proposed community action or Neighborhood Youth Corps project were clearly unsound, a Governor would be powerless to stop it unless this amendment is adopted.

The record of the antipoverty campaign is already bulging with shocking examples of waste and confusion resulting from ill-conceived projects that were begun in haste without proper consultation with State authorities. If ever there was a Federal program that needed tightening up, this is surely one.

Many of my colleagues, like myself, have had the privilege of serving as Governors of their States in the past. I know they will agree with me that their offices had more comprehensive knowledge of what was going on in their States than did the newly established offices in Washington.

The Governor of a State, after all, is elected to represent all of the people of that State. He is the chief executive and administrative official who is held responsible for the conduct and administration of the State's business. And, in that role, the Governor is quite obviously the one person who is best equipped to serve as the liaison between the Federal Government and the people in a joint effort against poverty.

A Governor's knowledge and judgment of his own State's conditions and people cannot help but be more accurate and timely than that of a Federal administrator.

Mr. President, I can testify from personal experience that this arrangement worked quite well. During my service as Governor I had occasions to make suggestions about the antipoverty program in our State to the director of the OEO which he accepted. Likewise, the director counseled with me about project planning and advanced his views. This interchange was beneficial for the program.

Since I had a veto power, I noted that the Director abided by my suggestions. Without that veto power, I am not sure what would have happened.

At this point, let me make it clear that the veto power of the Governors over Job Corps or VISTA programs is not disturbed by this amendment or by the committee's version of the bill. These two major aspects of the antipoverty program are contained in other sections of the act, and the existing veto authority remains.

Some fear has been expressed that the veto power of the Governors provided in the existing law and which my amendment would maintain is too arbitrary and far reaching. It has been suggested, for example, that it opens the way for a Governor to block any poverty project for petty, personal, or political reasons.

This is a ridiculous and unjustified argument that demeans the integrity of all 50 Governors of our States. It is refuted by the record.

The veto power in this section of the act has been exercised on only four occasions since the entire antipoverty program began. And in each case, clear and cogent reasons were advanced by the Governors to justify their action.

Mr. President, the record is clear and available in each of these actions none of these vetoes would appear to have been dictated by any reasons other than a desire for proper administration and a justified concern over administrative costs.

Without going any further into this particular matter, let me say merely that I am prepared to accept the reasoning of the three Governors in each instance, rather than any politically motivated attacks upon them from partisan quarters.

As for the Governors themselves, the Senate surely is aware that the National Governors Conference, which met last month in Minneapolis, adopted a resolution urging the Congress to preserve the veto power in the current law.

This resolution was personally endorsed by virtually every Governor in the Union, and since it expressed very well their feeling on this subject, I ask unanimous consent to have a copy of the resolution appear at this point in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

ECONOMIC OPPORTUNITY ACT

Whereas under the Economic Opportunity Act of 1964, although a number of antipoverty programs and projects bypass the State level, a substantial portion of such programs and projects require clearance through a Governor's office and are subject to the Governor's veto; and

Whereas the gubernatorial clearance and power to veto provide a measure of coordination and orderliness in the administration of those programs to which they apply; and

Whereas, with respect to those programs and projects not requiring clearance through a Governor's office and not subject to his veto, negotiations and contracts are between the Office of Economic Opportunity or a delegate Federal agency and the local applicant, which may be a nongovernmental agency, thus producing conditions of chaos; and

Whereas legislation has been approved by the U.S. House of Representatives to permit the Director of the Office of Economic Opportunity to override a Governor's veto disapproving a program or project to be undertaken in his State by any public agency or private organization with respect to the Neighborhood Youth Corps program, the community action program and the adult basic education program, to all of which programs the veto presently applies, if, in the opinion of the Director, the application for the program is consistent with the laws and would further the purposes of the act: Now, therefore, be it

Resolved, That the National Governors' Conference express its firm opposition to any diminution of the power of a Governor to veto proposed projects and programs under the Economic Opportunity Act and respectfully request the Congress to preserve intact the relevant provisions of the current law; and be it further

Resolved, That copies of this resolution be sent to all Members of Congress.

Mr. FANNIN. Mr. President, finally I wish to emphasize that this is truly a bipartisan and nonpolitical issue, as evidenced by the fact that distinguished Senators on both side of the aisle support and are cosponsors of the amendment. I am informed that not a single Governor spoke against the resolution adopted at their national conference. I hardly need point out that there were more Governors of the opposition party represented at that conference than there were Governors of my party.

The amendment is offered in an honest and sincere attempt to improve the administration and results of the antipoverty program. It has no other purpose. I urge adoption of the amendment.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. FANNIN. I yield to the distinguished Senator from Massachusetts.

Mr. SALTONSTALL. I commend the Senator for the action which he has taken. What his amendment would do would be to leave the law as it now is. Is that correct?

Mr. FANNIN. The Senator is correct.

Mr. SALTONSTALL. The Senator has been the Governor of a State, as I have been Governor of a State. The Governor of a State ought to have an opportunity to determine whether or not a Federal agency should come forward with a plan of which the Governor might entirely disapprove, or a program that he believes from his knowledge of the community and the other services in the community and all that goes with it should be disapproved. The Governor has a better knowledge of his community than a man working out of a Washington office, or even working out of a regional office, could possibly have.

The Senator is trying to give the Governor a veto power over something that has been proposed from without the State.

Mr. FANNIN. The distinguished Senator from Massachusetts is correct. I observed that during my term of office since the poverty program has been in effect.

Mr. SALTONSTALL. Am I not correct in saying that up to the present time the veto power has been exercised only four times?

Mr. FANNIN. The Senator is correct. I have also observed the work that has been done by the departments under the Government in assisting the community programs, so it would be highly essential that the veto be retained.

Mr. SALTONSTALL. Mr. President, will the Senator yield for one further question?

Mr. FANNIN. I yield.

Mr. SALTONSTALL. As I understand the various parts of the act, the veto

power would apply to 1(b) of the act, the work training program; 2(a), the community action program; and 2(b), the adult basic education program. Am I correct in that statement?

Mr. FANNIN. The Senator is correct.

Mr. SALTONSTALL. The veto would not apply to the other programs, including the Job Corps program and the study program.

Mr. FANNIN. That is correct.

Mr. SALTONSTALL. It would not apply to loans to migrant workers. Am I correct in that statement?

Mr. FANNIN. The Senator is right in his assumption.

Mr. SALTONSTALL. Fundamentally, what the Senator is saying is that the Governor should have a veto power over programs of a work training character in his State, or a community action program which might be instigated in other ways by other actions in the community, and also in relation to the adult basic education program, which might involve a great many agencies of the State.

Mr. FANNIN. The Senator is correct. I thank the distinguished Senator from Massachusetts for pointing that out.

Mr. SALTONSTALL. I sincerely hope, in the interest of what I believe to be good legislation, that if we are to maintain the integrity of our State governments, if we are to give the Governors of our 50 States an opportunity to have some responsibility—and we are taking away a great deal of their responsibility—we should give them some power of determination for what will take place in their States and for which they must raise money and pay.

The States will be required to administer these programs from a police point of view and from every other point of view. We should give the Governors of the States an opportunity to veto programs. As I have said, programs have been vetoed only four times in the first year of the operation of the act.

Mr. FANNIN. I wholeheartedly agree with the distinguished Senator from Massachusetts, and I thank him for bringing these points to the attention of the Senate.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. FANNIN. I yield.

Mr. LAUSCHE. The Senator mentioned the Governors' conference recently held in Minneapolis, and pointed out that a vote was taken on the issue. The result of the vote showed unanimous support for the maintenance of the power of the Governors to veto programs, with the exception of one dissenting vote. Is that correct?

Mr. FANNIN. The Senator is correct. The distinguished Senator from Ohio has brought out that point previously.

Mr. LAUSCHE. I have had my staff assistant call the State Council of Governors in Washington to ask what the political complexion of the 50 State Governors is. We discussed that subject yesterday.

No answer was given to it. The girl at the office of the Council of State Governors tabulated the names of the various Governors, and reported that there are 17 Republican Governors and 33 Democratic Governors.

Mr. FANNIN. That is correct.

Mr. LAUSCHE. To me that ratio seems greatly significant in disproving the argument that the Governors will play politics with this subject. Those who charge the Governors with politics, and who are opposing the right to veto, are condemning members of their own party.

Mr. FANNIN. I overwhelmingly agree with the distinguished Senator from Ohio.

Mr. LAUSCHE. I repeat that there are 33 Governors of Democratic political conviction and 17 of Republican.

The Senator from Arizona expressed the thought that with the power to veto, there is created a situation in which compromises can be reached. Am I correct in that statement?

Mr. FANNIN. The Senator is correct. I wholeheartedly agree.

Mr. LAUSCHE. The Senator pointed out that he spoke to the Administrator about programs proposed for his State. Out of those discussions came a compromise. My question is, What would be the situation if the power of the Governor to veto were removed?

Mr. FANNIN. I believe it would cause the program to deteriorate, because, as I stated before, not only can the Governor use his knowledge, but in most instances he has a staff working with communities and is in a position through the staff and the departments of the State government to work with the communities advantageously.

Mr. LAUSCHE. Would it not result in arbitrary power being placed in the administrator of the Economic Opportunity Act and completely divest the Governor of the right to have anything to say?

Mr. FANNIN. I believe it would. It would be a duplication of activity that is not needed and is not essential.

I believe it would be extremely helpful to the communities to permit the Governor to retain a veto power and to have the departments and their personnel assist him.

Mr. LAUSCHE. The Senator from Arizona, a former Governor of his State, has been in politics for some time. I observe in the Chamber former Governor SALTONSTALL and former Governor AIKEN—and I might say that former Governor LAUSCHE is present.

I pose this question:

If a Governor is seeking the good will of the people, wanting to be reelected, is it reasonable to infer that he will veto a program having attributes of goodness, in which Federal money will come into the State?

No one can convince me that a Governor would politically be so shallow or so devoid of conscience as to veto a program if he deeply believed in its soundness.

Mr. FANNIN. That is a logical conclusion. I wholeheartedly agree with the Senator.

Mr. LAUSCHE. The Senator from Massachusetts [Mr. SALTONSTALL] just mentioned that it could be argued that a Governor might veto for political purposes a program which would be of benefit to the people. What political purposes? How would it benefit him? It would bring defeat to him at the next election.

I wholeheartedly support the amendment of the Senator from Arizona.

Mr. FANNIN. I thank the Senator from Ohio [Mr. LAUSCHE] for his enlightening remarks on this subject.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. FANNIN. I yield to the Senator from California.

Mr. MURPHY. I have just received a telegram from a man who is not a Governor, although he has been mentioned as a possible candidate for Governor of my State of California. I refer to the mayor of the city of Los Angeles, the Honorable Sam Yorty. Mayor Yorty has asked that I read this telegram into the RECORD.

There is no Member of the Senate who does not feel that the stated purposes of this program are not good purposes. I have heard no member of the committee say at any time that he thought the program was bad. The proceedings before the congressional committee and the debate have concerned method. It is a reason to which the people are sensitive.

In my city of Los Angeles the entire program is a mess—a frightful mess. Many other cities face the same problem. San Francisco had the same experience.

One of the essential points was covered in the earlier proposal by the Senator from Colorado [Mr. DOMINICK].

Perhaps we want to know that the program is mature before we authorize more money to be spent. Yet the bill provides a sizable amount of taxpayers' dollars, and there are many objections across the country that the money already authorized is not going into the program, but to the people who will administer the program. I know of no business in this Nation that would double experimentation funds until the initial expenditures' effectiveness have been evaluated.

I have a list of salaries that is shocking. Also, we find the names of persons selected. They are not being screened. Yet it is imperative that we know the background of people using public funds.

I shall read to the Senate the telegram from Mayor Sam Yorty:

Senator GEORGE MURPHY,
Senate Office Building,
Washington, D.C.:

One of the riot inciting factors is the deliberate and well publicized cutting off of poverty funds to this city pending our efforts to reorganize the Youth Opportunities Board to meet the chameleonic OEO criteria.

I was told the OEO criteria had been changed there almost on a weekly basis. For 2 months the Director was asked to visit Los Angeles, and after 2 months one of his assistants visited that city.

I continue to read:

Other cities have not been subjected to such strong-arm tactics. Regularly constituted authority here has been bypassed, abused, and misrepresented. There has been a reckless effort to incite the poor for political purposes. The funds cut off from the poor in this area are our tax funds. Please demand that Shriver process our program and release our funds while we reor-

ganize. There is no excuse for continuing the inciting tactic of trying to publicly strong-arm us into complete submission to Federal whims which are confusing, changing, and arbitrary. The city of Los Angeles, county of Los Angeles, and city and county school systems have endeavored together to meet arbitrary Federal criteria and are in agreement. If funds not provided at once for our program, I should like to suggest a Senate inquiry. The so-called ad hoc congressional hearing by HAWKINS and ROOSEVELT was just a phase of the strong-arm tactics employed against us. It had no legitimate purpose.

SAM YORTY,
Mayor.

It was at the request of Mayor Yorty that I read the telegram into the RECORD.

Although Sam Yorty is not the present Governor of California, he may well be in the near future. He has been mentioned as a candidate.

He has given an example of the feeling in the community and the State. It is the feeling that the States are being bypassed.

I associate myself with the Senator from Arizona and recommend the adoption of the amendment.

Mr. FANNIN. I thank the Senator from California.

I yield to the Senator from Colorado.

Mr. DOMINICK. Mr. President, yesterday in my discussion of the bill I stated that I had learned by hearsay that a part of the problem involved in the weekend riot in Los Angeles had been generated by activities of this nature in the program. I was talking about comments that had been made prior to that time about endeavors to incite the poor to storm city hall, and activities of that kind.

Do I correctly understand that this telegram is a part of that process or a part of the documetary proof with respect to what I have just said?

Mr. MURPHY. The junior Senator from California returned only this morning from California, where he met with the mayor of Los Angeles, the chief of police of Los Angeles, and supervisors of the city. They all agreed that a part of the problem was the result of a contest within the political group, as stated, and that a tug of war has been going on, which had a very bad reflection and which, in my judgment, had something to do with triggering off the trouble.

Mr. DOMINICK. I could not be more upset than anybody else about the terrible situation that exists in California. I know how dedicated are the Senator's efforts to assist in alleviating the condition.

It seems to me that the mayor's telegram and the evidence contained in the minority views and the additional views by the former Governor of Arizona, Senator FANNIN, are a strong indication of the need for some State and local responsibility, so that the State authorities would be able to have some voice in the direction of these programs. The only weapon available in the present bill is the Governor's right of veto.

I strongly support the amendment and hope that it will be adopted.

Mr. FANNIN. I thank the Senator from Colorado. I agree with what he has said. I believe it is most important that the veto power be retained.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. FANNIN. I yield.

Mr. SALTONSTALL. Mr. President, the Senator from Ohio [Mr. LAUSCHE] has mentioned the Governors' conference.

I should like to quote from a statement by Governor King, of New Hampshire, a Democrat, who said:

Authority of Governors to veto projects under the act is essential to avoid duplications of State programs and local misunderstandings. Existence of veto power has already made it possible to tailor projects to specific needs of New Hampshire.

Governor Smylie, of Idaho, a Republican, and the chairman of the conference of Republican Governors, voiced the same concern when he said:

Extreme action such as this (deleting veto power) would seriously jeopardize the orderly progress of the entire program and result in chaos and confusion in those States and communities where local efforts are already underway or meeting the needs.

I merely supplement what the Senator from Ohio and the Senator from Arizona have said about their feeling concerning the Democratic and Republican Governors on the subject.

Mr. FANNIN. Mr. President, I appreciate the statement of the Senator from Massachusetts.

Mr. MURPHY. Mr. President, it would seem obvious to me that this is one of the most important and one of the largest undertakings ever attempted. Rather than excluding the help, guidance, and the local knowledge which could and properly should be provided by the Governors, we find ourselves engaged in an attempt to exclude them completely and make the action directly subject to a man who has been appointed to a job, a man whose background in the job, I believe, leaves a great deal to be desired.

When he was questioned before the committee, his answers were very glib. However, I found most of them unsatisfactory. I was told that I was out of touch with what was going on in my area, that conditions were settled, and everything was arranged. I found 3 weeks later that that was not the case.

I recall when the Senator from New York mentioned the problem of the package that was handed to the Governor of New York. The Governor had to veto the whole thing or accept nothing.

I should think that it would be sensible if the Director of the program were to welcome the help of the Governors.

Certainly there would be 2, 3, or 4 with whom he might not agree completely. However, in a sense of mutual trust and respect, and working for the mutual benefit of the people involved, and not for any political purposes, I believe that the program would get started a lot faster and accomplish its purpose much quicker.

Mr. FANNIN. I thank the Senator from California for his statement.

PROPOSED UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, with the concurrence and interest of both sides, I should like to make a unanimous-consent request that there be a time limitation of 40 minutes on this particular amendment, the amendment of the Senator from Arizona [Mr. FANNIN], the time to be equally divided, 20 minutes to each side.

Mr. PROUTY. Mr. President, reserving the right to object, I shall not object if it is understood that, if I shall require more time than 20 minutes, additional time will be available to me.

Mr. MANSFIELD. It will be.

Mr. PROUTY. Mr. President, I should also like to have the additional understanding that there will be a live quorum before the vote, and that the distinguished Senator from Arizona [Mr. FANNIN] will be recognized by the Chair for a brief period in order to explain what his amendment is for the benefit of Senators who may be absent now.

Mr. YARBOROUGH. Mr. President, reserving the right to object—and I shall not object—I believe that, after the live quorum, each side should be allowed 3 minutes within which to explain its position.

Mr. MANSFIELD. Mr. President, with the understanding that this is agreeable, I should like to withhold the request temporarily.

Mr. JAVITS. Mr. President, in order to clear the record, since I understand that the Parliamentarian has a problem, I ask to withdraw my amendment for the moment and to reinstate it once the vote has been completed on the Fannin amendment.

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

Mr. MANSFIELD. Mr. President, will the Senator yield without losing his right to the floor?

Mr. FANNIN. I yield.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

UNANIMOUS-CONSENT REQUEST

Mr. MANSFIELD. Mr. President, if the Senator from Arizona will yield, I make the same unanimous-consent request, with the additions proposed by the distinguished Senator from Vermont [Mr. PROUTY], and the distinguished Senator from Texas [Mr. YARBOROUGH].

The PRESIDING OFFICER. There will be 20 minutes to the side on the pending amendment, with 3 minutes to each side following a live quorum.

Is there objection? None is heard, and it is so ordered.

Mr. FANNIN. Mr. President, I yield myself 2 minutes.

Mr. MANSFIELD. Mr. President, the time will be under the control of the Senator from Arizona [Mr. FANNIN] and the Senator from Michigan [Mr. MCNAMARA], or whomever they may designate.

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

The Senator from Arizona is recognized for 2 minutes.

Mr. FANNIN. Mr. President, I bring to the attention of Senators, many of whom are supporting the measure, that this amendment would merely preserve the existing law. The amendment is not complicated. I feel that, without it, a great deal of trouble could occur within a State if a Governor did not have the opportunity to use his facilities and to work with the Director on the same basis as he has done so in the past.

When I refer to the past, I refer to the limited number of occasions on which the Governor has disagreed and vetoed a program. I know, from my personal experience with the program, that when there was any question, I had the opportunity to send representatives to a community to determine just what was involved in the particular project in order that I could discuss it with the Director.

It was very beneficial to me to have this opportunity and privilege. Without that provision, it would have been difficult for me to have had the same relationship with the Director. The Director at all times recognized that I would have authority to veto in that case. He was willing to cooperate.

As I said before, I could not estimate what his cooperation would have been without that provision. However, I can certainly assume that it would not have been as good, or that the problem would not have been as easily handled as it was with the provision included in the measure as it now exists in law.

Mr. President, I feel that this is an essential amendment, and that it has been proved to be essential by the support that has been given it.

I ask support for my amendment.

I reserve the remainder of my time.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. FANNIN. I yield to the Senator from Florida.

Mr. HOLLAND. I compliment the distinguished Senator——

The PRESIDING OFFICER. The Senator must yield himself additional time. The time he yielded to himself has expired.

Mr. FANNIN. I yield myself 2 minutes.

Mr. HOLLAND. I compliment the distinguished Senator for his action. I know it is in style now to downgrade the States, but I do not agree with that approach. In this great national effort which is underway, regardless of the wisdom or the unwisdom of it, the Governors and the States have a distinct part to play. We shall make better progress by regarding this program as a matter in which the States have a vital interest and in which the Governors should participate. The results will be much better if the Governors are kept in the picture. They know their people and the problems of their people.

As I remember, the Senate last year approved, by a vote of 80 to 7, putting the Governors into the picture, and I have heard nothing since then that justifies a departure from that philosophy.

Mr. FANNIN. I thank the Senator from Florida for his remarks. He is correct in his statement. I feel it would be detrimental if this right were not preserved.

Mr. President, I reserve the remainder of my time.

Mr. McNAMARA. Mr. President, I yield myself 1 minute.

I have already responded to the proposal for a Governor's veto. I call attention at this point to the report of the committee that accompanies the proposed legislation. There is a detailed section in the report objecting to the position of the Senator from Arizona. It starts on page 11 and continues to pages 12 and 13 of the report. I read a part of the report:

> The chief problem to date appears to revolve around the Governor's unlimited power to veto programs and projects under title 1–B and title II–A.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. McNAMARA. I yield myself 1 additional minute.

To continue reading:

> These both involve assistance to local programs planned and developed by local agencies. The absolute veto as applied to these programs gives the Governor discretion over local programs and affairs over which, under State law, he normally has no direct control and for which he is not directly responsible.

The PRESIDING OFFICER. Who yields time?

Mr. McNAMARA. Mr. President, I have no requests for time.

Mr. YARBOROUGH. Mr. President, will the Senator yield me 10 minutes?

Mr. McNAMARA. I yield 10 minutes to the Senator from Texas.

Mr. YARBOROUGH. Mr. President, last year the Senate Labor Committee recommended to the Senate that the Governors not be allowed to veto locally initiated and sponsored antipoverty projects in Neighborhood Youth Corps, community action programs, and adult education. Unfortunately, the Senate failed to take that advice and in amendments added on the floor the Governors were given that veto power.

Since then, we have seen how unwise it was not to take the Labor Committee's advice. By giving the Governors veto power over these local projects, as the House report to this bill notes:

> Congress conferred upon the Governors more power of control over a federally assisted program than the Governors enjoy with respect to State action of their own governments.

The veto given the Governors by floor amendment last year was absolute and irresponsible: absolute in that there was no way in which it could be overridden, irresponsible in that a Governor using it has to give no reason whatsoever for his decision. The irresponsible nature of the Governor's veto was underlined by the statement of Governor Babcock of Montana who this June vetoed a proposed Farmers Union Neighborhood Youth Corps project which would have provided summer jobs for 1,200 young people. In so doing, Governor Babcock stated:

> My most important reason for denying approval is my belief that no private organization should be granted the authority to administer and spend Federal * * * funds.

In effect, Governor Babcock said that two of antipoverty program's five instruments for helping the impoverished, the Neighborhood Youth Corps and the community action program, shall not operate in Montana because he disagrees with the way Congress chose to fight poverty.

The irresponsible use of the Governor's veto is going to grow more and more unless we cut it out now. So far, the Nation's various Governors who are not in sympathy with the poverty program have not all fully learned how to use the veto power which last year's bill granted them. However, those who have learned have used this power to threaten and coerce the directors of various community action and Neighborhood Youth Corps programs to tailor programs to meet their whims and to force the sponsors of the projects to take on as officers and directors their political friends while forcing anyone critical of the Governor out of the project. In my own State, for example, the Governor has used the threat of veto to force sponsors suggesting an hourly wage of $1.25 to retreat to a wage of a dollar an hour. In other words, even when the citizens of a local community approved of paying what is the Federal minimum wage, the Governor used the threat of veto as a club to destroy local autonomy. The Governor of Texas is constitutionally denied this power in his normal relations with local communities.

Last year, some of my friends on the other side of the aisle suggested that this program would create a poverty czar. It seems that they were almost correct. The bill as it passed the Senate last year with the Governor's veto over local projects created 50 poverty czars, one in each State. These new czars are using their veto power in the poverty program to create the strongest political machines this Nation has ever seen. The old machines that ruled our large cities in the past will seem child's play in comparison. The veto power given the Governors over locally based and initiated programs is and will be, unless now taken away, used to crush every vestige of local control and local initiative. I think that every advocate of local governments will rejoice at this chance to remove this ill-considered tool.

This year the Labor Committee is again recommending that the Governors not be given the power to veto locally sponsored and initiated programs. The committee does not propose that the Governor's veto be totally abolished over all projects in the poverty program. The Governors will still retain veto power over the establishment of Job Corps centers and the assignment of VISTA volunteers in their States. Moreover, the Governors or the properly designated boards or officials will have de facto control over adult education programs since these are established with

the cooperation of the State educational agency.

Your committee's recommendation is to abolish the Governor's veto over the Neighborhood Youth Corps and the community action program completely. The committee explicitly turned down the suggestion of the House to give the administrator of the poverty program a veto over the Governor's veto. This would put an appointed official into the position of having to veto judgments of powerful and highly political elected officials. No director could stand the political heat that would be caused. In effect, I am afraid that the poverty Director would have to back down and never veto a Governor's decision.

Mr. President, I urge that we take the advice of the Labor and Public Welfare Committee and not make the same mistake we did last year of adding an amendment on the floor giving the Governors veto power over locally initiated programs.

Our friends across the aisle forget to mention what the Democratic Members, who are in the majority, adopted in committee. They should give us credit for what we did. We voted to have the Hatch Act apply.

I call attention to page 20, section 17, in which we apply the Hatch Act to take the Poverty Corps out of politics.

I further call attention to the bottom of page 19 of the bill, a Republican-sponsored provision, which the majority of the committee adopted because we wanted it taken out of politics. The following language was added: "including, but not limited to, continuing consultation with appropriate State agencies on the development, conduct, and administration of such programs."

So, to try to make the poverty program work, we wrote the Hatch Act into it.

Our friends on the other side proposed continuing the consultative powers.

But the Governor's veto does not belong in the program. We made the mistake last year of putting it in and we have found out it was a mistake. As both House and Senate reports note, what Congress has done in section 209(c)—that is the Governor's veto that we struck out in the committee—"is to confer upon the Governors more power of control over a federally assisted program than the Governors enjoy with respect to State action of their own governments."

The State constitutions do not give the State Governors this absolute power over a county or a city that they are given over these Neighborhood Youth Corps projects, community action projects, and adult education projects.

I quote further:

> In some States the Governor has no veto at all, but there is no State where the Governor's veto of the legislative process cannot be overridden.

If this were State law, the State legislature could pass something over the Governor's veto, but the amendment of the Senator from Arizona gives the Governor an absolute veto, irrevocable and unappealable, and it cannot be overridden. No wonder the Governor of a State does not come in and say, "Take this away from us. We have something superior to the legislature, even Congress, even superior to the President of the United States."

In my State, for example, a program where the cost ratio was less than 10 percent was stricken down by the Governor with this absolute veto. The decision could in no way be appealed.

Mr. GORE. Mr. President, will the Senator from Texas yield?

Mr. YARBOROUGH. I yield.

Mr. GORE. Who were the beneficiaries of such arbitrary power, and who were the victims?

Mr. YARBOROUGH. The victims were the youths of the area. I can think of no beneficiaries. I see none. It is arbitrary, absolute, uncontrolled power. I can think of no possible beneficiaries. The impoverished areas in Texas would have received enough money to give these children schooling without weakening the educational processes. Who could profit by it?

Furthermore, in my particular State, if a project were to pay a dollar an hour wage, the Governor has a separate and easier set of standards than if the project is to pay the minimum wage at a dollar and a quarter.

I appeal to the Senators across the aisle and remind them that we of the Democratic majority took their amendments applying the Hatch Act to the program, as well as provisions for continuing consultation with the appropriate agencies, to make this program work harmoniously. We took out, however, the arbitrary, absolute veto power. We greatly improved the bill, with the minorities' recommendations, because we wished to make it work.

I say in good faith that we should leave all three provisions in. If we are to give the Governor the veto power, other amendments should come out, too.

Mr. GORE. Mr. President, will the Senator from Texas yield further?

Mr. YARBOROUGH. I yield.

Mr. GORE. If this is sound in principle, why should it not be extended to urban renewal?

The PRESIDING OFFICER. The time of the Senator from Texas has expired—all 10 minutes.

Mr. YARBOROUGH. Mr. President, I ask for 1 more minute to answer the Senator from Tennessee.

Mr. McNAMARA. Mr. President, I yield 1 additional minute to the Senator from Texas.

The PRESIDING OFFICER. The Senator from Texas is recognized for 1 additional minute.

Mr. GORE. If this principle is sound in principle, why should it not be extended to the urban renewal program, to housing, to community facilities, and to the accelerated public works programs?

Mr. YARBOROUGH. The House report points out that this has never before been extended to any such Federal program.

I read from the report on page 12, paragraph 6;

> The power that the Governor has under section 209(c) is without precedent in any Federal program where Federal assistance is given to a local community.

The PRESIDING OFFICER. The time of the Senator from Texas has expired.

Mr. McNAMARA. Mr. President, I yield 1 more minute to the Senator from Texas.

The PRESIDING OFFICER. The Senator from Texas is recognized for 1 additional minute.

Mr. YARBOROUGH. I continue reading:

> There are many such Federal programs where the Federal Government and the municipality deal directly: Community facilities, urban renewal, public housing, Federal aid to airports, the "impact education" aid program, to mention a few.

But, Mr. President, in none of these is the Governor given the veto power. This is without precedent in Federal law, as the House report states, as well as the Senate report.

In Federal-State relations, it introduces a new dimension in Federal-State relationships, cutting the Federal program into 50 segments.

Next summer, we shall see, with the fall elections approaching, 50 different areas and kinds of poverty programs, depending upon the whim of the Governor, completely uncontrolled and dependent upon his economic and social background and governmental predilections. There will be 50 autocracies instead of some kind of uniform system. It will not work. It will kill the program if it is not taken out.

Mr. McNAMARA. Mr. President, I yield 3 minutes to the Senator from Massachusetts [Mr. KENNEDY] for the purpose of continuing this colloquy.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized for 3 minutes.

Mr. KENNEDY of Massachusetts. Mr. President, I should like to ask the Senator from Texas whether he is concerned, as I am concerned, that placing a veto in the poverty program would violate the basic spirit of the philosophy of the poverty program. At least with respect to those aspects of the poverty program which concern community action and Neighborhood Youth Corps programs.

Would not the Senator from Texas agree with me that this program was based upon a concept of local understanding, of local conditions and local initiatives? The whole concept should be preserved, and those who understand the local needs should have the authority to make the decisions on those matters which most directly reflect upon programs of the community. Is it not true that if we adopted the amendment of the Senator from Arizona [Mr. FANNIN] we would be frustrating the basic, philosophical approach of the poverty program?

Mr. YARBOROUGH. The Senator from Massachusetts is correct. This was a local-initiative program, a local self-help program, to get the people involved in their communities and, hopefully, to get the impoverished people themselves to go on the board, to teach themselves self-government, and to help any other programs work and succeed.

This is local self-government personified, but when we include the Governor's veto to kill this county program or that city program, we destroy local self-government. The Governor's veto in the bill is playing politics. It is not local self-government, as the Senator from Massachusetts has so ably pointed out.

Mr. KENNEDY of Massachusetts. The Senator from Texas has commented on the nature of the veto. As I understand it, the fact is that in all States where the veto is exercised by the Governor, the legislature has the power to overrule the veto. I am wondering whether the Senator from Texas could enlighten me as to whether there are any provisions in the poverty program for legislative overruling, if a Governor were to veto what would be considered a worthwhile program, or a local program? Would there be any opportunity for such veto to be scrutinized or overruled? It does not seem to me that there is any provision for this, and I should appreciate the comments of the Senator from Texas.

Mr. YARBOROUGH. Under the amendment of the Senator from Arizona [Mr. FANNIN] there would be none. This would be stricken out. The Governor would be given uncontrolled veto power.

The PRESIDING OFFICER. All time of the Senator from Massachusetts has expired.

Mr. FANNIN. Mr. President, I yield 13 minutes to the Senator from Vermont.

Mr. MANSFIELD. Mr. President, in line with the agreement which has been entered into, I ask unanimous consent, with the consent of the distinguished Senator from Michigan [Mr. MCNAMARA] that the 13 minutes yielded to the Senator from Vermont be extended to 20 minutes, with the additional 3 minutes remaining after the quorum call.

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

Mr. PROUTY. Mr. President, I am grateful to the distinguished majority leader.

Mr. President, I rise in support of the amendment offered by the Senator from Arizona.

Mr. President, the bill now before the Senate contains a provision that will set a new, and I am convinced, disastrous precedent in Federal-State relations. That is section 15 of H.R. 8283, which repeals section 209(c) of the Economic Opportunity Act.

It is worthwhile, I think, to review the legislative history of section 209(c), which permits a Governor to veto a community action, adult basic education, or Neighborhood Youth Corps program in his State within 30 days after the proposal is submitted to him.

Prior to the consideration of the amendment which became eventually section 209(c) the junior Senator from Florida [Mr. SMATHERS] proposed an amendment to include a similar provision with regard to the establishment of Job Corps camps under title I-A. The able Senator argued that the public authority of a State should have some say about whether the Federal Government could come in and establish in that State programs which in one way or another might prove inimical to the best interests of the State. There was practically no discussion of this proposal and it was accepted.

The following day the Senate had before it a proposal by the senior Senator from New York [Mr. JAVITS], which would have permitted a State to take over the administration of community action and migrant labor programs in that State if it so desired. If it did not so desire, the Office of Economic Opportunity could go ahead and put those programs into operation itself. In short, the State was given an option to act; if the State was passive, the Federal Government could step in.

I then proposed a substitute amendment, limited to the community action program sections of the bill, title II-A. My amendment would have required the prior approval of the Governor before the OEO could initiate community action programs in the State. On a rollcall vote my substitute amendment was adopted by a vote of 45 to 44. A motion to reconsider was then made, and a motion to table the motion to reconsider. On this latter motion another rollcall was taken, and the motion to table failed by a tie vote of 45 to 45. Then, on the motion to reconsider, the Senate voted 46 to 45 to reopen discussion on my amendment. Subsequently my substitute amendment was defeated by a vote of 45 to 46.

Following this series of parliamentary maneuvers, Senator SMATHERS, whose 30-day veto provision with respect to the Job Corps had been adopted the previous day, offered another substitute to the Javits amendment. This substitute amendment contains substantially the present language of section 209(c), permitting a Governor to disapprove a proposed Neighborhood Youth Corps college work-study, community action, or adult basic education program proposed for his State, within 30 days of its submission to him. The Senate adopted the Smathers substitute by an overwhelming vote of 80 to 7.

The House made only one change in the language of section 209(c), broadening it to include State and local public agencies as well as private organizations within a State.

H.R. 8283 as passed by the House contains an amendment that so waters down section 209(c) as to make the Governor's participation virtually meaningless. That amendment says that whenever a Governor disapproves one of the programs, the Director of OEO may review the reasons for the disapproval. If, in the opinion of the Director the program is fully consistent with the provisions and in furtherance of the purposes of the act he may, notwithstanding the objections of the Governor, proceed to put it into operation.

No Governor or representative of a Governor or Governor's association came before our committee to testify on the veto provisions. Mr. Shriver himself told the committee that he would take no position on the issue, and that he would prefer to let the Congress grapple with the matter. He did state, however, when pressed:

> The existing veto provision, considered in the light of our overall experience, has occasioned few administrative difficulties. There is very little gubernatorial objection to what we are doing. In fact, I think we have had at least 5,000 instances by now where Governors could have vetoed what we were proposing to do. In fact, out of approximately 5,000 opportunities there have been only, so far as I now know, 2 vetoes.

In a later letter to me, dated July 26, Mr. Shriver listed four vetoes that had been cast as of that date.

Certainly by no stretch of the imagination can the Governors' veto be considered a significant hindrance to the operation of the war on poverty. The great majority of the Governors from whom I have had communications on this point—and I include both Democrats and Republicans—have expressed their very sincere willingness to make the programs of the war on poverty a success in their States. Many volunteered the statement that relations between their offices and the Office of Economic Opportunity were excellent, and that real progress was being made. Yet, almost to a man, the Governors of the 50 States are strongly opposed to any change in the existing law that would impair their power to prevent a project truly unsuitable for their State.

Simply put, Mr. President, existing law makes OEO the defendant and the Governor the judge.

The House language makes OEO both defendant and judge.

The Senate language now before us does away with the trial altogether.

Last year 92 percent of those Senators voting on this question voted in favor of the Governor's veto. After a year of operation, the Office of Economic Opportunity says it has had few administrative difficulties with this provision. The Office of Economic Opportunity has not advocated a change. The President of the United States has not advocated a change. The Governors of the States have not only not advocated a change, but are strongly and outspokenly opposed to a change. But now, in the bill before us, the veto provisions are not merely changed, but annihilated. I raise—but do not attempt to answer—the question: Whose interest, in the light of these facts, would the Congress be serving by striking the Governor's veto from this act?

I hope I may have the attention of the Senator from Texas [Mr. YARBOROUGH].

In the vast majority of Federal grant programs leaving aside educational assistance to individuals such as scholarships and fellowships, the States have an absolute veto. They exercise the veto by merely refusing to submit a State plan. To name a few, this is true of the Vocational Education Act of 1963, title I of the Higher Education Facilities Act of 1963, the Library Facilities Act, the Federal Highway Acts dating back to 1944, and titles I, II, and V of the Elementary and Secondary Education Act of 1965.

In certain other programs the Federal Government makes grants directly to local public bodies. Usually there are grants for construction of physical facilities, as in the Mental Retardation Facilities and Community Mental Health Centers Act of 1963, the Health Professions Educational Assistance Act of 1963, the Federal Airport Acts dating back to 1946, and the Taft-Wagner-Ellender Housing Act of 1949. In one recent case the grant is for education—under title III of the Elementary and Secondary Education Act of 1965. In each case here the State governments are bypassed, but the grants are made to local public agencies, which are ultimately under the control of the State government. A provision of the Federal Airport Act (49 U.S.C. 1108) recognizes ultimate State control by providing that "nothing in this chapter shall authorize the submission of a project application by any municipality or other public agency which is subject to the law of any State, if the submission of such project application by such municipality or other public agency is prohibited by the law of such State."

In certain cases the Federal Government makes grants directly to nonpublic organizations, such as hospitals and colleges, for research or the construction of facilities. Examples of this include title II of the Higher Education Facilities Act and the Hill-Burton Hospital Act.

And then, there are Federal grant programs that provide funds for local, public or private organizations, subject to a veto by the Governor of the State. Section 102 of the Food and Agriculture Act of 1962, for example, provides that "loans to State and local public agencies—for land conservation and utilization—shall be made only if such plans have been submitted to, and not disapproved within 45 days by, the State agency having supervisory responsibility over such plans, or by the Governor if there is no such State agency." In this category, of course, come the programs covered by section 209(c) of the Economic Opportunity Act of 1964.

From a perusal of these various types of Federal aid programs two relevant conclusions can be drawn:

First. Federal grants that bypass State governments are in the great majority of cases made to local public agencies, ultimately subject to control by the State.

Second. Federal grants that bypass both State and local public agencies, and pay or lend funds directly to nonpublic institutions or organizations, are, so far as I have been able to determine, limited to bricks and mortar construction programs, or to academic research programs. I know of no Federal grant program to local private organizations or institutions for other than these two purposes, which is not subject to public control at the State or local level.

Now what has all this to do with the Governors veto in the poverty bill? The point is this: in no other program does the Federal Government come into a State to mobilize local people, as in the community action programs.

In no other program that I am aware of does the Federal Government come into a State and give money to a private organization to hire young people, as in the Neighborhood Youth Corps program.

This is not the same as the Federal Government coming into a State with education research funds or housing construction funds or airport construction funds.

Should a Governor not have some opportunity to intervene when Federal authorities seek to provide a job program operated by a quasi-political organization in that State? I think, Mr. President, the answers are clearly, "Yes." I believe the Senate owes it to the people of this Nation to continue an effective check on these programs at the State level, by striking section 15 from the bill.

I very much hope that the amendment offered by the distinguished Senator from Arizona [Mr. FANNIN] will be adopted, because basic to it is the question of States rights and precedents over a long period of time.

Mr. FANNIN. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator has 9 minutes remaining before the quorum call.

Mr. FANNIN. Mr. President, preservation of the existing law would retain the Governors solidly behind the program.

It is important that they have such an interest in it and that they be willing to accept their responsibilities. In many States staffs have been set up by the Governors to coordinate the programs. This provides a means of assisting, without duplication in costs, programs so essential to the communities of the States of our Nation. If that privilege of the Governors is removed, would it mean the loss of a great deal of assistance and aid. In addition the responsibility of the Governors would not be as it is today. I realize that the Governors might still be able to counsel. They might still be able to participate in a minor way. But their participation would be very limited and particularly when compared with the system which is now in existence.

I am sure that upon reflection Senators will realize what is involved in the preservation of the existing law. Mr. President, I appeal to the Senate to support the amendment.

Mr. President, I yield back the remainder of my time.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum. I hope attachés will notify Senators to the effect that it will be a live quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 213 Leg.]

Aiken	Cooper	Hart
Allott	Cotton	Hartke
Anderson	Curtis	Hayden
Bartlett	Dirksen	Hickenlooper
Bass	Dominick	Hill
Bayh	Douglas	Holland
Bennett	Eastland	Hruska
Bible	Ellender	Inouye
Boggs	Ervin	Jackson
Brewster	Fannin	Javits
Burdick	Fong	Jordan, N.C.
Byrd, W. Va.	Fulbright	Jordan, Idaho
Cannon	Gore	Kennedy, Mass.
Carlson	Gruening	Kennedy, N.Y.
Case	Harris	Kuchel
Lausche	Moss	Saltonstall
Long, Mo.	Mundt	Scott
Long, La.	Murphy	Simpson
Magnuson	Muskie	Smathers
Mansfield	Nelson	Smith
McClellan	Neuberger	Stennis
McGovern	Pastore	Symington
McIntyre	Pearson	Talmadge
McNamara	Pell	Thurmond
Metcalf	Prouty	Tower
Miller	Proxmire	Williams, N.J.
Mondale	Randolph	Williams, Del.
Monroney	Ribicoff	Yarborough
Montoya	Robertson	Young, N. Dak.
Morse	Russell, Ga.	Young, Ohio
Morton	Russell, S.C.	

The PRESIDING OFFICER. A quorum is present. The question is on agreeing to the amendment of the Senator from Arizona. Three minutes remain on either side.

Mr. JAVITS. Mr. President, I ask unanimous consent that I may, in the course of the debate, take 1 minute to deal with the parliamentary situation which resulted in the withdrawal of my amendment.

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

Mr. FANNIN. Mr. President, have I 3 minutes?

The PRESIDING OFFICER. The Senator from Arizona has 3 minutes.

Mr. FANNIN. Mr. President, everyone agrees with the aims of the antipoverty program. The question involved in my amendment is: Are we to preserve the Federal-State relationship existing in the program at the present time? As we all recognize, the Governor is the chief executive of his State. As such, he is the official liaison between the people of his State and the Federal Government. Is it not our goal to have the best administration possible? I am sure that we all agree that it is. Then is not the best way to attain the goal to have the chief executive of the State work with the Director and to coordinate the efforts through the departments of the State? Will this not bring about a cooperative program that will most greatly benefit the people who are in need and who would benefit by the antipoverty program?

I yield back the remainder of my time.

Mr. McNAMARA. Mr. President, the amendment offered by the Senator from Arizona strikes at the very heart of the Economic Opportunity Act.

It would reject the decision of the committee to strike from the act the unlimited power of a Governor to veto projects under the community action programs and the Neighborhood Youth Corps.

Much has been made of the argument that the Governor's veto power has been little used during the first 10 months of the poverty program, and that it would be supposedly politically unwise for a Governor to block Federal funds with this power.

This argument misses the point completely and bears no relation to what has actually happened in many areas of the country.

It is true that there have been only four or five actual vetoes. However, this small figure totally obscures the number of times that a Governor may have

threatened to use his veto in order to shape a program to his own desires.

It completely obscures the number of times a Governor may have delayed the inauguration of a program by using the 30 days he has at his disposal.

I can only repeat that such veto power is unprecedented in programs of Federal aid to communities. It gives a Governor a degree of power that bears absolutely no relationship to his degree of responsibility.

We have not touched the Governor's rightful power over Federal programs affecting his State—such as Job Corps camps and the VISTA program.

We do seek to eliminate the Governor's arbitrary, unwarranted, and unprecedented control over the remainder of the program.

Mr. JAVITS. I yield myself 1 minute. If the Fannin amendment fails, the next vote will occur on my amendment, which seeks to present to the Senate the House plan plus the addition of a public hearing.

I do not wish Senators to misunderstand the addition. It does not require elaborate procedures; but the hearing must be public.

Mr. President, my amendment is a compromise between the points of view being presented to the Senate by the pending amendment. I am pleased that the Senate will have the opportunity to work its will on a range of alternatives.

If the Fannin amendment is adopted, it will restore the act to its original condition. If the Fannin amendment fails, the Senate will have the opportunity to choose the House plan, which my amendment incorporates with the addition of the hearing requirement.

If that amendment fails, we shall revert to the language of the bill, which eliminates the veto altogether.

Mr. LONG of Louisiana. Mr. President, the bill as reported by the committee would not affect all of the Governor's veto provisions in the act. The existing veto provisions for Job Corps centers and VISTA—the Domestic Peace Corps—projects would be retained. However, the bill would eliminate the veto in the two areas where the present act has caused problems—the Neighborhood Youth Corps and the community action program.

If the 10-percent local money is to be matched by 90-percent Federal money for a local community project, it is none of a Governor's business how the program should be administered.

Why should a Governor be permitted to do what I know Governors have done on occasion: insist, as a condition of his approval, that a repudiated politician be appointed, someone who has passed "hot checks"; someone who is not qualified to administer anything. Why should I make such a statement? Because I once had a hot check given to me.

Why should such persons be allowed to freeze a local fund as a condition of cooperating with the Federal Government, which would put up 90 percent, while the State put up only 10 percent? That is not done in the case of airports; why should it be done in this type of program?

The PRESIDING OFFICER. All time having expired, the question is on agreeing to the amendment of the Senator from Arizona [Mr. FANNIN]. On this vote the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JORDAN of North Carolina (when his name was called). On this vote I have a pair with the Senator from Idaho [Mr. CHURCH]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withhold my vote.

The rollcall was concluded.

Mr. LONG of Louisiana. I announce that the Senator from Connecticut [Mr. DODD], the Senator from Wyoming [Mr. MCGEE], and the Senator from Maryland [Mr. TYDINGS] are absent on official business.

I also announce that the Senator from Virginia [Mr. BYRD], the Senator from Idaho [Mr. CHURCH], the Senator from Pennsylvania [Mr. CLARK], the Senator from Minnesota [Mr. MCCARTHY], and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

I further announce that, if present and voting, the Senator from Wyoming [Mr. MCGEE], and the Senator from Maryland [Mr. TYDINGS] would each vote "nay."

On this vote, the Senator from Virginia [Mr. BYRD] is paired with the Senator from Pennsylvania [Mr. CLARK]. If present and voting, the Senator from Virginia would vote "yea" and the Senator from Pennsylvania would vote "nay."

On this vote, the Senator from Connecticut [Mr. DODD] is paired with the Senator from Nebraska [Mr. CURTIS]. If present and voting, the Senator from Connecticut would vote "nay" and the Senator from Nebraska would vote "yea."

Mr. KUCHEL. I announce that the Senator from Nebraska [Mr. CURTIS] is necessarily absent because of death in the family.

On this vote, the Senator from Nebraska [Mr. CURTIS] is paired with the Senator from Connecticut [Mr. DODD]. If present and voting, the Senator from Nebraska would vote "yea" and the Senator from Connecticut would vote "nay."

The result was announced—yeas 45, nays 45, as follows:

[No. 214 Leg.]

YEAS—45

Aiken	Fannin	Prouty
Allott	Fong	Randolph
Bennett	Hickenlooper	Robertson
Bible	Hill	Russell, S.C.
Boggs	Holland	Russell, Ga.
Byrd, W. Va.	Hruska	Saltonstall
Cannon	Jordan, Idaho	Scott
Carlson	Kuchel	Simpson
Cooper	Lausche	Smith
Cotton	McClellan	Stennis
Dirksen	Miller	Talmadge
Dominick	Morton	Thurmond
Eastland	Mundt	Tower
Ellender	Murphy	Williams, Del.
Ervin	Pearson	Young, N. Dak.

NAYS—45

Anderson	Gore	Kennedy, Mass.
Bartlett	Gruening	Kennedy, N.Y.
Bass	Harris	Long, Mo.
Bayh	Hart	Long, La.
Brewster	Hartke	Magnuson
Burdick	Hayden	Mansfield
Case	Inouye	McGovern
Douglas	Jackson	McIntyre
Fulbright	Javits	McNamara
Metcalf	Muskie	Ribicoff
Mondale	Nelson	Smathers
Monroney	Neuberger	Symington
Montoya	Pastore	Williams, N.J.
Morse	Pell	Yarborough
Moss	Proxmire	Young, Ohio

NOT VOTING—10

Byrd, Va.	Dodd	Sparkman
Church	Jordan, N.C.	Tydings
Clark	McCarthy	
Curtis	McGee	

So Mr. FANNIN's amendment was rejected.

Mr. PROUTY. Mr. President, I ask for a recapitulation.

The vote was recapitulated.

Mr. LONG of Louisiana. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. DIRKSEN. Mr. President, I move to lay that motion on the table.

Mr. PROUTY. Mr. President, I ask for the yeas and nays.

The yeas and nays on the motion to lay on the table were ordered.

Mr. PROUTY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. TOWER. Is the vote on the motion to reconsider or on the motion to table?

The PRESIDING OFFICER. The question is on the motion to table the motion to reconsider. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

The vote was recapitulated.

(The VICE PRESIDENT assumed the chair as Presiding Officer.)

Mr. PROUTY. Mr. President, regular order.

Mr. LONG of Louisiana. Mr. President, I request a recapitulation.

Mr. PROUTY. Mr. President, regular order.

Mr. LONG of Louisiana. Mr. President, I request——

Mr. RUSSELL of Georgia. Mr. President, the Senator's request is not in order until the vote is announced.

The VICE PRESIDENT. The Senator is correct.

Mr. LONG of Louisiana. I announce that the Senator from Connecticut [Mr. DODD], the Senator from Illinois [Mr. DOUGLAS], the Senator from Florida [Mr. HOLLAND], the Senator from Wyoming [Mr. MCGEE], and the Senator from Florida [Mr. SMATHERS] are absent on official business.

I also announce that the Senator from Virginia [Mr. BYRD], the Senator from Idaho [Mr. CHURCH], the Senator from Pennsylvania [Mr. CLARK], the Senator from Minnesota [Mr. MCCARTHY], and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

I further announce that if present and voting, the Senator from Illinois [Mr. DOUGLAS], and the Senator from Wyoming [Mr. MCGEE] would each vote "yea."

On this vote, the Senator from Virginia [Mr. BYRD] is paired with the Senator from Pennsylvania [Mr. CLARK]. If present and voting, the Senator from Virginia would vote "nay" and the Senator from Pennsylvania would vote "yea."

On this vote, the Senator from Connecticut [Mr. DODD] is paired with the Senator from Nebraska [Mr. CURTIS]. If present and voting, the Senator from Connecticut would vote "yea" and the Senator from Nebraska would vote "nay."

On this vote, the senior Senator from Florida [Mr. HOLLAND] is paired with the junior Senator from Florida [Mr. SMATHERS]. If present and voting, the senior Senator from Florida would vote "nay" and the junior Senator from Florida would vote "yea."

Mr. KUCHEL. I announce that the Senator from Nebraska [Mr. CURTIS] is necessarily absent because of death in the family.

On this vote, the Senator from Nebraska [Mr. CURTIS] is paired with the Senator from Connecticut [Mr. DODD]. If present and voting, the Senator from Nebraska would vote "nay" and the Senator from Connecticut would vote "yea."

The result was announced—yeas 44, nays 45, as follows:

[No. 215 Leg.]

YEAS—44

Anderson	Jackson	Morse
Bartlett	Javits	Moss
Bass	Kennedy, Mass.	Muskie
Bayh	Kennedy, N.Y.	Nelson
Brewster	Long, Mo.	Neuberger
Burdick	Long, La.	Pastore
Case	Magnuson	Pell
Fulbright	Mansfield	Proxmire
Gore	McGovern	Ribicoff
Gruening	McIntyre	Symington
Harris	McNamara	Tydings
Hart	Metcalf	Williams, N.J.
Hartke	Mondale	Yarborough
Hayden	Monroney	Young, Ohio
Inouye	Montoya	

NAYS—45

Aiken	Fannin	Prouty
Allott	Fong	Randolph
Bennett	Hickenlooper	Robertson
Bible	Hill	Russell, Ga.
Boggs	Hruska	Russell, S.C.
Byrd, W Va.	Jordan, N.C.	Saltonstall
Cannon	Jordan, Idaho	Scott
Carlson	Kuchel	Simpson
Cooper	Lausche	Smith
Cotton	McClellan	Stennis
Dirksen	Miller	Talmadge
Dominick	Morton	Thurmond
Eastland	Mundt	Tower
Ellender	Murphy	Williams, Del.
Ervin	Pearson	Young, N. Dak.

NOT VOTING—11

Byrd, Va.	Dodd	McGee
Church	Douglas	Smathers
Clark	Holland	Sparkman
Curtis	McCarthy	

So the motion to lay on the table was rejected.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays on the motion to reconsider.

The VICE PRESIDENT. The Senator should know that the Senate just failed to table a motion to reconsider.

Mr. LONG of Louisiana. Mr. President, I desire to discuss this matter.

Mr. DIRKSEN. Mr. President, a point of order—a point of order.

The VICE PRESIDENT. The Senator from Montana is recognized.

Mr. DIRKSEN. Mr. President, there can be no other business after a motion has been tabled. That ends it.

Mr. LONG of Louisiana. Mr. President, I demand a recapitulation.

Mr. MANSFIELD. Mr. President, I repeat my request. I believe that I am in order, and I should like to have a ruling from the Chair.

The VICE PRESIDENT. The Senator from Louisiana has demanded a recapitulation of the last vote.

Mr. MANSFIELD. Mr. President, I am referring to my motion, which I believe is in order.

The VICE PRESIDENT. The Senator from Louisiana has demanded a recapitulation.

Mr. DIRKSEN. Mr. President, there has been no intervening business.

Mr. MANSFIELD. Mr. President, which one has precedence?

The VICE PRESIDENT. The motion to recapitulate.

The legislative clerk recapitulated the vote.

Mr. MANSFIELD. Mr. President——

The VICE PRESIDENT. On the recapitulation, the results are the same, yeas 44, nays 45, and the motion to table is not agreed to.

Mr. MANSFIELD. Mr. President, I renew my request.

The VICE PRESIDENT. The Senate will now reconsider the vote by which the motion to table failed.

Mr. MANSFIELD. Mr. President I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. McCLELLAN. Mr. President, how many times can we reconsider a reconsideration of a vote?

The VICE PRESIDENT. Will the Senator from Arkansas repeat his request?

Mr. McCLELLAN. How many times can we reconsider a reconsidered vote, I should like to know.

The VICE PRESIDENT. A motion to reconsider the vote by which—the vote that was just taken——

Mr. McCLELLAN. Can the vote then be reconsidered?

The VICE PRESIDENT. No. This is the motion to reconsider.

Mr. WILLIAMS of Delaware. Mr. President——

Mr. HICKENLOOPER. Mr. President——

The VICE PRESIDENT. This is a motion to reconsider the vote by which the vote on the amendment did not carry. The yeas and nays have been ordered.

Mr. TOWER. Mr. President, a point of order.

Mr. McCLELLAN. Mr. President, is this on the amendment?

The VICE PRESIDENT. No. This is on the motion to reconsider.

Mr. TOWER. Mr. President, a point of order. The mover was not a voter on the prevailing side.

Mr. PASTORE. Mr. President, may we please have order in the Chamber? There are too many Senators standing in the well away from their seats.

The VICE PRESIDENT. Will Senators please take their seats? The Senate will be in order.

Mr. BASS. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Tennessee will state it.

Mr. BASS. The vote we are about to take is a vote to reconsider the vote on the amendment?

The VICE PRESIDENT. The Senator is correct.

Mr. BASS. Now, a vote in the affirmative on this motion would be to approve the previous vote; is that not correct?

The VICE PRESIDENT. Will the Senator restate his question? [Laughter.]

Mr. BASS. I will restate it. A vote in the affirmative on this rollcall would be a vote to agree or disagree to the previous vote? [Laughter.]

The VICE PRESIDENT. The chair will attempt to help the confused situation by adding his own confusion to it. The Senate voted, first on the amendment to the committee bill. That amendment failed to pass. There was, then, a motion to reconsider, and a motion was made to table. The Senate held a vote on the motion to table and it failed.

The Senator from Montana asks to vote now on a motion to reconsider the vote by which the amendment itself failed. The yeas and nays have been ordered and——

Mr. BASS. So, if a Senator wishes the previous vote on the amendment to stand, he would vote "nay," then, on the motion to reconsider?

The VICE PRESIDENT. The Senator is eminently correct, and the clerk will call the roll.

Mr GRUENING. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The yea-and-nay vote is now in progress, and the Senator's inquiry is not in order.

On this question, the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Connecticut [Mr. DODD], the Senator from Florida [Mr. HOLLAND], the Senator from Wyoming [Mr. McGEE], and the Senator from Florida [Mr. SMATHERS] are absent on official business.

I also announce that the Senator from Virginia [Mr. BYRD], the Senator from Idaho [Mr. CHURCH], the Senator from Pennsylvania [Mr. CLARK], the Senator from Minnesota [Mr. McCARTHY], and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

On this vote, the Senator from Virginia [Mr. BYRD] is paired with the Senator from Pennsylvania [Mr. CLARK]. If present and voting, the Senator from Virginia would vote "yea," and the Senator from Pennsylvania would vote "nay."

On this vote, the Senator from Connecticut [Mr. DODD] is paired with the Senator from Nebraska [Mr. CURTIS]. If present and voting, the Senator from Connecticut would vote "nay" and the Senator from Nebraska would vote "yea."

On this vote, the senior Senator from Florida [Mr. HOLLAND] is paired with the junior Senator from Florida [Mr. SMATHERS]. If present and voting, the senior Senator from Florida would vote "yea" and the junior Senator from Florida would vote "nay."

I further announce that, if present and voting, the Senator from Wyoming [Mr. McGEE] would vote "nay."

Mr. KUCHEL. I announce that the Senator from Nebraska [Mr. CURTIS] is necessarily absent because of death in the family.

On this vote, the Senator from Nebraska [Mr. CURTIS] is paired with the Senator from Connecticut [Mr. DODD]. If present and voting, the Senator from Nebraska would vote "yea" and the Senator from Connecticut would vote "nay."

The yeas and nays resulted—yeas 45, nays 45, as follows:

[No. 216 Leg.]

YEAS—45

Aiken	Fannin	Prouty
Allott	Fong	Randolph
Bennett	H'ckenlooper	Robertson
Bible	Hill	Russell, S.C.
Boggs	Hruska	Russell, Ga.
Byrd, W. Va.	Jordan, N.C.	Saltonstall
Cannon	Jordan, Idaho	Scott
Carlson	Kuchel	Simpson
Cooper	Lausche	Smith
Cotton	McClellan	Stennis
Dirksen	Miller	Talmadge
Dominick	Morton	Thurmond
Eastland	Mundt	Tower
Ellender	Murphy	Williams, Del.
Ervin	Pearson	Young, N. Dak.

NAYS—45

Anderson	Inouye	Montoya
Bartlett	Jackson	Morse
Bass	Javits	Moss
Bayh	Kennedy, Mass.	Muskie
Brewster	Kennedy, N.Y.	Nelson
Burdick	Long, Mo.	Neuberger
Case	Long, La.	Pastore
Douglas	Magnuson	Pell
Fulbright	Mansfield	Proxmire
Gore	McGovern	Ribicoff
Gruening	McIntyre	Symington
Harris	McNamara	Tydings
Hart	Metcalf	Williams, N.J.
Hartke	Mondale	Yarborough
Hayden	Monroney	Young, Ohio

NOT VOTING—10

Byrd, Va.	Dodd	Smathers
Church	Holland	Sparkman
Clark	McCarthy	
Curtis	McGee	

Mr. McNAMARA. Mr. President, I move the regular order.

The VICE PRESIDENT. The regular order has been called for, and the Chair votes "nay."

The motion is not agreed to.

So the motion to reconsider the vote by which the amendment was not agreed to was rejected.

AMENDMENT NO. 387

Mr. JAVITS. Mr. President, I call up my amendment No. 387.

The VICE PRESIDENT. The amendment will be stated.

The LEGISLATIVE CLERK. On page 20, delete lines 1 through 4, and insert in lieu thereof:

DISAPPROVAL OF PLANS

SEC. 15. Section 209(c) of the Economic Opportunity Act of 1964 is amended by (1) inserting "of part B" before "of title I" and (2) striking out "and such plan has not been disapproved by him within thirty days of such submission" and inserting in lieu thereof "and such plan has not been disapproved by the Governor within thirty days of such submission, or, if so disapproved, has been reconsidered by the Director and, after public hearing in which the Governor or his authorized representative is given an opportunity to appear, found by the Director to be fully consistent with the provisions and in furtherance of the purposes of this part".

LIMITATION OF DEBATE ON JAVITS AND PROUTY AMENDMENTS

Mr. MANSFIELD. Mr. President, the Javits amendment, now pending, has been thoroughly explained this afternoon.

I had intended to suggest to the Senate that it remain in session until about 8 o'clock tonight. However, in view of certain developments which have arisen, the leadership would like to have the Senate go out of session at 7 o'clock tonight.

It is my understanding that the distinguished senior Senator from New York [Mr. JAVITS] and the distinguished senior Senator from Michigan [Mr. McNAMARA] are both willing to consider the possibility, the Senate concurring, to agree to a unanimous consent request to limit debate on the Javits amendment to 30 minutes, 15 minutes to a side, to be controlled, respectively, by the Senator from New York and the Senator from Michigan, to be followed by a yea-and-nay vote. That would complete the business of the Senate for today.

Mr. PROUTY. Mr. President, I may have an amendment to offer as a substitute for the Javits amendment.

The VICE PRESIDENT. Is there objection to the request of the Senator from Montana?

Mr. JAVITS. Mr. President, reserving the right to object, if the Senate is to be in session until about 7 o'clock, and if the Senator from Vermont has an amendment, we could allow a half hour of debate on the amendment of the Senator from Vermont, to be divided between him and me. In addition, we may not need all the time allotted.

Mr. MANSFIELD. I might suggest that the time on the side of the Senator from Michigan may not be used entirely, knowing the Senator from Michigan.

Mr. McNAMARA. I wonder about the time on the other amendment.

Mr. MANSFIELD. The time on that amendment would be equally divided also.

The VICE PRESIDENT. Will the Senator from Montana restate his unanimous-consent request?

Mr. MANSFIELD. Mr. President, I ask unanimous consent that an hour be allowed for debate on the Javits amendment and all amendments thereto, the time to be equally divided between the proponents of the amendment and the distinguished Senator from Michigan [Mr. McNAMARA].

Mr. JAVITS. I shall be glad to allow time out of my time to the Senator from Vermont, if he desires additional time.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the order is entered.

Mr. JAVITS. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. JAVITS. Mr. President, I yield myself 5 minutes.

The VICE PRESIDENT. The Senator from New York is recognized for 5 minutes.

Mr. JAVITS. Mr. President, the amendment which I have proposed has been very thoroughly explained. It would allow Governors to veto community action plans, provided that, if the Director of the program decided that he wished to override the veto, he could do so only after a hearing. Therefore, the Governor would have an opportunity to present his case in the public domain.

I have also made it clear that the public hearing to which I refer could be an informal public hearing. It would not have to be surrounded by the forms of law with respect to public hearings, whatever may be the general statutes, if a statutory public hearing were provided for. But there should be a hearing, and it should be open to the public. I have no doubt that, if the Senate adopted the amendment, the Administrator would be able to promulgate rules and regulations which would deal with the subject adequately.

It seems to me that we are in exactly the same position, and face exactly the same dilemma, that we faced a year ago. I have an idea as to what the amendment of the Senator from Vermont [Mr. PROUTY] to my amendment will be. He proposed it in the committee. It relates to the possibility of a veto by the Governor, which would be subject to being sustained or overridden by his own State legislature. Of course, that is a variant of the Governor's veto which we have dealt with by a very close vote. I believe that the plan which I have offered to the Senate is the only plan that is likely to satisfy those who feel strongly about States rights, and those who feel strongly about the poverty program in terms of being able to reach areas which might not otherwise be reached.

This is very much the approach the House came to after much consideration. We should not leave it to the House bill, however, because we had experience with that the last time the bill came before the Congress. What happened the last time was that in the Senate we wrote a veto provision into the bill, and the House promptly went for the veto.

Now we are writing no veto provision in the bill in the Senate, and my guess is that the House would go for that, unless the Senate manifests its will that it desires something in the bill to deal with the Governors' vetoes.

I believe that there is a real danger in letting the bill leave the Senate without such a provision in it, because we had bad experience with that the last time. Notwithstanding how much I favor the program, I was very unhappy with the way the matter was left, and I would have been if there had been nothing said about a veto. And that is exactly what is happening now.

In other words, the pendulum, having swung one way, is swinging the other way without anything in the bill whatever with respect to the Governor's right to veto. It does provide for consultation, but that is all. Indeed, that was an amendment of mine.

So having learned from experience—and we have certainly learned the toughness of the minds of Senators today by reason of the fact that minds are pretty much what they were a year ago. The voting then was very close, and it is just as close today, give or take absentees on each side. Let us learn from experience that many of us got something we did

not want in the veto, so that we shall not get something that others of us do not want, which is no veto whatever, or no reference to a veto whatever.

I know that Senators on both sides of this issue feel very strongly. Normally, compromise falls between the two stools. That is why life is often such a sharp change from one side to the other, which is exactly what we are saying here. I do not expect to convince every Senator, but I hope that there are enough minds in the Senate who will look at the question coolly and will recognize that we need some compromise between the two views. We have the House approach of record for a compromise, and it should be latched into the bill. That is the plan that apparently represents the middle-of-the-road approach. I should like to see that the Director has such an opportunity as is provided in the amendment.

The PRESIDING OFFICER (Mr. RUSSELL of South Carolina in the chair). The Senator's 5 minutes have expired.

Mr. JAVITS. Mr. President, I yield myself 2 additional minutes.

The PRESIDING OFFICER. The Senator is recognized for 2 additional minutes.

Mr. JAVITS. I refer to page 118 of the record. The Director himself has testified that the amendment contained in the House bill provides a workable approach.

He said:

> The existing veto provision, considered in the light of our overall experience, has occasioned a few administrative difficulties. The House amendment, as we understand it, is directed to cases where the veto might be used for arbitrary, capricious, or discriminatory purposes. It thus retains the basic format of the existing provision with the addition of what is essentially a review procedure. Since the present provisions have, as indicated, presented few difficulties from an administrative standpoint, we consider that this—

Meaning the House version—

> represents a sound way of approaching the practical and procedural problems involved in any modification.

In short, the Senate now having turned down the proposal to restore the veto provision, I deeply believe that a majority of this body, leaving aside the feelings as reflected by the last vote, ought at least to put into the bill what is considered to be a workable plan, which will give dignity to the authority of the Governor. At the same time it will not give absolute power to the Governor over the projects under the bill, but will give him a great deal of power. I would be the last to underestimate the influence of a Governor's veto and the fact that the Administrator would have to hurdle public hearings in order to overrule him, with all the difficulty which such action implies.

Mr. SALTONSTALL. Mr. President, will the Senator yield for a question?

Mr. JAVITS. I yield.

Mr. SALTONSTALL. So the difference between the House provision and the Senate provision is that the Governors would have an opportunity to have a public hearing?

The PRESIDING OFFICER. The time of the Senator from New York has expired.

Mr. JAVITS. Mr. President, I yield myself 2 additional minutes.

The PRESIDING OFFICER. The Senator from New York is recognized for 2 additional minutes.

Mr. JAVITS. The Senator is exactly correct.

Mr. SALTONSTALL. That is the difference?

Mr. JAVITS. Yes.

Mr. SALTONSTALL. So if the Senate should adopt the amendment, it would be taken to conference with the conferees on the part of the House, and we could hope that an opportunity would be afforded to a Governor for a hearing after that Governor had indicated his disapproval of a project.

Mr. JAVITS. The Senator is correct. I should also like to point out to the distinguished Senator from Massachusetts, since he himself has offered a similar idea in relation to the urban affairs bill, that I have already made the legislative record that the hearing would not be a public hearing surrounded by statutory procedures, but it would be an informal public hearing. That is what I have in mind.

Mr. SALTONSTALL. I thank the Senator.

Mr. JAVITS. If the conferees feel that they should write the conference report in that way, that would be satisfactory.

Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. McNAMARA. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER. The Senator from Michigan is recognized for 2 minutes.

Mr. McNAMARA. The debate up to now has brought out most of the salient points on the overall subject. It seems to me that one of the things that I would object to in the amendment is the fact that it would retain in the hands of the Governor the ability to delay a project for 30 days, and during that 30-day period the people in a local community could be intimidated in a community facility program. Therefore, I hope that the amendment will be rejected if it continues to have that very objectionable feature in it.

Mr. JAVITS. Mr. President, I ask unanimous consent that I may be permitted to suggest the absence of a quorum with the time to be charged equally to both sides. I am looking for the Senator from Vermont [Mr. PROUTY].

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

Mr. JAVITS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. JAVITS. Mr. President, I yield myself 30 seconds to ask unanimous consent that, notwithstanding the fact that time is still reserved by the opponents and proponents of my amendment, the Senator from Vermont [Mr. PROUTY] may offer an amendment or whatever else he wishes to offer to my amendment.

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

Mr. JAVITS. I yield 5 minutes to the Senator from Vermont.

Mr. YARBOROUGH. Mr. President, is this a part of the Senator's time or is it additional time?

Mr. JAVITS. No; it is not additional time. It is a part of the time under my control.

Mr. PROUTY. Mr. President, I send to the desk an amendment in the nature of a substitute. I ask unanimous consent that the reading of the amendment be dispensed with, but that the amendment be printed in the RECORD.

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

The amendment is as follows:

> Beginning on page 1, line 1, strike all through to the end and insert in lieu thereof the following:
>
> "SEC. 15. Section 209(c) of the Economic Opportunity Act of 1964 is amended.
>
> "(1) by inserting 'part B of' immediately before 'title I'; and
>
> "(2) by amending the proviso thereof to read as follows: *'Provided, however,* That this section shall not apply to contracts, agreements, grants, loans, or other assistance (1) to any institutions of higher education in existence on the date of the approval of this Act; or (2) in any State in which the Legislature of such State, has, by concurrent resolution, provided that subsequent disapprovals of any such plan by the Governor shall be advisory only.'"

Mr. PROUTY. Mr. President, on my amendment, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. PROUTY. Mr. President, I now propose an amendment in the nature of a compromise on the question of the Governor's veto. The motion to restore the existing language of section 209(c) of the Economic Opportunity Act has been defeated. As the bill now stands, there is no provision whatsoever for participation by the State authorities in the approval of programs under titles I–B and II–A of the Act.

My proposal is an attempt to find a middle ground. It places the final decision as to whether the Governor shall have the veto power not in the hands of a Federal appointee, but in the hands of the popularly elected legislatures of the States themselves.

Simply, my amendment provides that a Governor shall continue to have the power to effectively disapprove projects under titles I–B and II–A unless the legislature of his State, by concurrent resolution, provides that the Governor's approval shall be advisory only.

Thus, the legislature could strip the Governor of his veto authority in all future cases by providing that it should be advisory and not binding on the Office of Economic Opportunity.

The legislature could not interfere with a previous veto cast by the Governor.

It could only strip him of the authority to make future vetoes.

The legislature would not be given authority to strip the Governor of the power to veto any specific project.

The authority would be to strip the Governor of all future veto power, not just the power to veto a certain proposal. Of course, a legislature could always rescind the concurrent resolution at a later date, thus restoring to the Governor his full unimpaired power under section 209(c) of the act.

This amendment would put a check on a Governor who might be tempted to wield his veto power for purposes other than the best interests of the war on poverty program. A Governor tempted to cast a veto would know that such an action, if indefensible and offensive to a substantial number of people in his State, could well result in a resolution by the legislature depriving him of authority to cast any future vetoes. By making the Governor's veto power responsive to the popular will of the people of his State, as expressed through their representatives in the legislature, an important safeguard is established against its abuse.

On the other hand, if it should happen that a Federal official were eager to promote an antipoverty project in a State, and the great majority of the people of the State were opposed to such project, the Governor would be able to protect their interests and wishes by vetoing the project. Under H.R. 8283 the people of a State would be completely dependent upon the will of the Director of OEO, who could ignore the advice and wishes of the Governor, legislature, and the citizens of that State.

This amendment does not authorize or require the legislature of a State to pass upon any project to be carried on in that State. It merely states that when a certain event takes place—the concurrent resolution of the legislature—the Governor of that State shall henceforth be limited to advising OEO as to certain projects, and may not forbid OEO from going ahead without his consent.

Briefly, the present law gives the Governor a right.

In the House bill, the Director of OEO is authorized to strip the Governor of that right.

In the Senate bill now before us, Congress strips the Governor of that right.

In my amendment, the legislature of the State, presumably elected according to the one-man, one-vote rule and thus perfectly responsive to the wishes of the people, may, if it sees fit, strip the Governor of that right.

If my amendment is adopted and a legislature subsequently strips a Governor of his right to veto, local people in that State will know where the responsibility lies and will be able to consider the affair at the local level in the next State election. In the House bill, the only recourse is an appeal to a government bureaucrat. In the Senate bill, the only recourse is an appeal to both Houses of Congress. In my amendment, the appeal may be made to the members of the State legislature, who are more readily accessible to the citizen and more knowledgeable of the events within that State.

This amendment is a natural, Mr. President, for those who believe in Government exercised at the level closest to the people. It is also a natural for those who champion the one-man, one-vote rule—as a means of obtaining equal representation for all in State legislatures. Would these advocates who urge that every inhabitant of a State have an equal voice in that State's legislature, now turn around and argue that a decision of this nature—which directly affects the everyday lives of those inhabitants—not be made by the popularly elected legislature, but by the Congress in Washington? I certainly hope not, Mr. President. I think that the Prouty proposal is a reasonable way to settle the matter, a way that keeps in sight the need for local control, but at the same time permits the people of a State, acting through their State representatives and senators, to override a Governor's veto that is, in their opinion, out of keeping with their own best interests.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. PROUTY. I am happy to yield.

Mr. SALTONSTALL. Do I correctly understand the Senator to say in substance that the Governor's veto shall prevail unless the legislature by concurrent resolution takes away that right and leaves the decision to the Federal Administrator?

Mr. PROUTY. That is correct. The decision would be left in the hands of the State legislature, and through that means, in the hands of the people.

Mr. SALTONSTALL. The Senator's amendment would remove the criticism in the committee report of letting the Governor have the absolute say, if that power be given to him, without the legislature having opportunity to override him.

Mr. PROUTY. The Senator is absolutely correct. It seems to me that this amendment is a fair compromise, and overcomes the objections voiced earlier.

Mr. SALTONSTALL. Once the legislature adopted such a resolution, its action would apply to any projects in the future.

Mr. PROUTY. That is correct.

I have had placed on the desks of Senators an explanation of the so-called Prouty veto amendment.

Mr. JAVITS. Mr. President, I yield myself 2 minutes.

The committee considered the proposal of Senator PROUTY. It was the subject of considerable debate, and I myself gave careful thought to it. As I see it, the Senator from Vermont is endeavoring to be constructive and creative in suggesting another compromise to the Senate.

The difficulty that his substitute presents to me is that it lacks the flexibility of my amendment, because the legislature would have to exercise its power on a generic basis; that is, by either allowing or not allowing a Governor to exercise an absolute veto over programs in the future. Hence, the amendment does not have the flexibility of enabling the antipoverty programs to be dealt with on a case-by-case basis.

In addition, I believe that the plan which the Senator from Vermont has suggested would throw the entire matter at one time into a tremendous political struggle between the Governor and the State legislature, because a Governor would hardly recommend such a procedure to a State legislature; he would rather keep the power himself. Therefore, for all practical purposes, the State legislature would be acting against the Governor. Consider what might happen if a Governor and a State legislature were of different political parties.

Mr. PROUTY. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. PROUTY. My amendment puts the power in the hands of the people. The people would exercise the veto.

Mr. JAVITS. I cannot accept that explanation, I am sorry to say, for the reason that the Governor is elected by the people, too. We are elected by the people. The President of the United States is elected by the people. The fact that authority is delegated to various officials does not make it any less an act of the people. In my judgment, it cannot be said that this amendment gives the authority to the people and that everything else does not. That is not the nature of our government. If we wanted to give the decision to the people, we would have a town meeting on every project.

I believe that we must construct a plan which would be selective enough to deal with the entire problem on a project-by-project basis. I believe that what we are asked to do here would involve us in a monumental struggle between State legislatures and Governors which would outshine the issues on any given project and which, in my judgment, could easily vitiate the desirability of the projects, which would fall down the hatch, depending on the outcome of the political struggle.

I would not want to see that as the end result of the Governor's veto. As we live in our society, if a Governor were to veto a project and get a hearing concerning that veto, it would be a rather rare case when an administrator in Washington would override the Governor's veto. That is the way it ought to be. However, the administrator could override it in the case of injustice or discrimination. He could do it on a case-by-case basis, and not on the generic basis of the power of the Governor or of the State legislature.

I am pleased that the Senator from Vermont [Mr. PROUTY] has used creativity and ingenuity in coming forth with another idea. However, with all due respect, I believe that the plan which I have suggested to the Senate is the best plan. It would avoid the danger which we suffered before of going to one extreme of the scale when granting the veto power. Now we encounter the new danger of going to the other extreme of the scale when no veto power is provided.

I believe that the plan which we have before us in my amendment pursues a method which has already been followed

by the other body. It would be a fair compromise. It would work. The Director himself said in the hearings that it would be workable and that it is his best answer to the dilemma in which we find ourselves.

I hope that the Senate will vote down the substitute amendment and vote affirmatively upon my amendment.

Mr. President, I am not aware of any other requests for time on this side. I reserve the remainder of my time.

Mr. YARBOROUGH. Mr. President, I yield myself 2 minutes on the Prouty amendment.

The PRESIDING OFFICER. The Senator from Texas is recognized for 2 minutes.

Mr. YARBOROUGH. Mr. President, in many ways the pending amendment is worse than the absolute veto in the present law. One vice is the veto, and the other vice is the appeal to the Director of the antipoverty program. It would lead to political confusion.

These projects, especially those allowing students to work in the summer and be prepared to go to school in the fall, ought to be expedited. If we were to permit the proposal to go to another governmental body, a body such as a State legislature, some of which meet only once every 2 years, it would lead to more confusion. The programs would be lost.

I believe that this is the worst of all the proposals.

Mr. JAVITS. Mr. President, I yield myself one-half minute.

The PRESIDING OFFICER. The Senator from New York is recognized for one-half minute.

Mr. JAVITS. Mr. President, in view of the fact that most Senators are not aware that a substitute amendment is pending, I ask unanimous consent that there be a quorum call, the time for which I suggest be equally divided between both sides, so that Senators can be apprised of the parliamentary situation before they vote.

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

Mr. JAVITS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. JAVITS. Mr. President, I yield myself 2 minutes.

The purpose of the quorum call was to acquaint Members of the Senate with the parliamentary situation which has developed since the unanimous-consent request on time was agreed to. My amendment was then pending. It was the subject of the unanimous-consent request. Since that time a substitute has been offered by the Senator from Vermont [Mr. PROUTY], which would give the Governors absolute veto power but would vest in the State legislature of each State the power to take away the Governor's absolute veto authority and leave him with an advisory veto, which could be overridden by the Director. It does not contain a provision for a public hearing, which my amendment does, in case of such veto.

The Senate has a choice between the two alternatives which I have described, and which I have previously described at great length.

I should like to sum up my own argument by saying that the last time we had the problem before us, last year, we adopted the absolute veto amendment. It went over to the House and was promptly agreed to. Now if the bill stands as it is with its no-veto provision, that may well be what will happen in the House again, and we shall have frustrated the effort to have a Governor have any voice. My proposal gives the Governors a flexible opportunity to be heard in a very effective way, with respect to individual projects, which is I think what is required by the situation.

My amendment gives the Governor the right to have a public hearing before his veto can be overridden by the Director. That makes it difficult for an administrator to overrule the Governor. But it makes it possible when he feels that strongly about it and is likely to appeal to the public about it.

My amendment is a fair compromise. I hope the Senate will vote for it. I prefer it to the recommendation of the Senator from Vermont [Mr. PROUTY], which would go the other way and in the direction of leaving the law as it is. That amendment raises the problem of involving the legislatures and the Governors in a confrontation, which I do not favor, and I hope the Senate will not favor it.

Mr. McNAMARA. Mr. President, I yield myself 2 minutes.

The Prouty amendment was offered in committee, discussed in committee, and voted down in committee. Therefore, speaking for the committee, I hope the Prouty amendment will be defeated.

We have discussed the subject of the Governor's veto at great length this afternoon. An amendment to reaffirm the total veto power as it exists in present law was defeated.

Now the Senator from New York offers a modified version.

His amendment would pick up the language as it appeared in the original House bill, which would permit the Director of OEO to override a Governor's veto.

However, he adds another provision to the House language by stipulating further that there be a public hearing before the Director of OEO could take such action.

It seems to me that the question of a public hearing simply would add further delay and confusion to the situation.

As I have stated previously, it is the threat of a veto and the delaying tactics of some Governors that has been more obstructive to the aims of the economic opportunity program, than the actual veto.

Therefore, I feel that rather than helping the situation, the amendment of the Senator from New York carries with it the threat of further confusion.

I hope the Javits amendment will be defeated.

The VICE PRESIDENT. Do Senators yield back their time?

Mr. JAVITS. I yield back my time.

Mr. McNAMARA. I yield back my time.

The PRESIDING OFFICER. All time on the amendment is yielded back. The question is on agreeing to the amendment of the Senator from Vermont [Mr. PROUTY] as a substitute for the amendment of the Senator from New York [Mr. JAVITS] to the committee amendment.

The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Connecticut [Mr. DODD], the Senator from Arizona [Mr. HAYDEN], and the Senator from Wyoming [Mr. McGEE] are absent on official business.

I also announce that the Senator from Virginia [Mr. BYRD], the Senator from Idaho [Mr. CHURCH], the Senator from Pennsylvania [Mr. CLARK], the Senator from Minnesota [Mr. McCARTHY], and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

On this vote, the Senator from Virginia [Mr. BYRD] is paired with the Senator from Pennsylvania [Mr. CLARK]. If present and voting, the Senator from Virginia would vote "yea" and the Senator from Pennsylvania would vote "nay."

On this vote, the Senator from Connecticut [Mr. DODD] is paired with the Senator from Nebraska [Mr. CURTIS]. If present and voting, the Senator from Connecticut would vote "nay," and the Senator from Nebraska would vote "yea."

I further announce that, if present and voting, the Senator from Wyoming [Mr. McGEE] would vote "nay."

Mr. KUCHEL. I announce that the Senator from Nebraska [Mr. CURTIS] is necessarily absent because of death in the family.

On this vote, the Senator from Nebraska [Mr. CURTIS] is paired with the Senator from Connecticut [Mr. DODD]. If present and voting, the Senator from Nebraska would vote "yea" and the Senator from Connecticut would vote "nay."

The result was announced—yeas 44, nays 47, as follows:

[No. 217 Leg.]

YEAS—44

Aiken	Hickenlooper	Randolph
Allott	Hill	Robertson
Bennett	Holland	Russell, S.C.
Boggs	Hruska	Russell, Ga.
Byrd, W. Va.	Jordan, N.C.	Saltonstall
Carlson	Jordan, Idaho	Scott
Cooper	Kuchel	Simpson
Cotton	Lausche	Smith
Dirksen	McClellan	Stennis
Dominick	Miller	Talmadge
Eastland	Morton	Thurmond
Ellender	Mundt	Tower
Ervin	Murphy	Williams, Del.
Fannin	Pearson	Young, N. Dak.
Fong	Prouty	

NAYS—47

Anderson	Fulbright	Kennedy, N.Y.
Bartlett	Gore	Long, Mo.
Bass	Gruening	Long, La.
Bayh	Harris	Magnuson
Bible	Hart	Mansfield
Brewster	Hartke	McGovern
Burdick	Inouye	McIntyre
Cannon	Jackson	McNamara
Case	Javits	Metcalf
Douglas	Kennedy, Mass.	Mondale

Monroney	Neuberger	Symington
Montoya	Pastore	Tydings
Morse	Pell	Williams, N.J.
Moss	Proxmire	Yarborough
Muskie	Ribicoff	Young, Ohio
Nelson	Smathers	

NOT VOTING—9

Byrd, Va.	Curtis	McCarthy
Church	Dodd	McGee
Clark	Hayden	Sparkman

So Mr. PROUTY's amendment as a substitute for the Javits amendment to the committee amendment was rejected.

Mr. JAVITS. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from New York will state it.

Mr. JAVITS. A vote now recurs upon my amendment to the committee amendment as originally proposed and debated most of the afternoon?

The VICE PRESIDENT. Yes. On this question the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk proceeded to call the roll; and Mr. AIKEN voted "yea" when his name was called.

Mr. LAUSCHE. Mr. President, is there any time left on that amendment?

The VICE PRESIDENT. The yea-and-nay vote is now in process.

Mr. LONG of Louisiana. Mr. President, is the yea-and-nay vote now underway.

The VICE PRESIDENT. It is underway. The Senator from Vermont [Mr. AIKEN] has voted.

Mr. LONG of Louisiana. Mr. President, has all time been yielded back?

Mr. HICKENLOOPER. Mr. President, the regular order, please.

The VICE PRESIDENT. The regular order is demanded. The clerk will call the roll.

The legislative clerk resumed and concluded the call of the roll.

Mr. LONG of Louisiana. I announce that the Senator from Connecticut [Mr. DODD], the Senator from Arizona [Mr. HAYDEN], and the Senator from Wyoming [Mr. MCGEE] are absent on official business.

I also announce that the Senator from Virginia [Mr. BYRD], the Senator from Pennsylvania [Mr. CLARK], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Idaho [Mr. CHURCH] are necessarily absent.

I further announce that, if present and voting, the Senator from Virginia [Mr. BYRD], the Senator from Pennsylvania [Mr. CLARK], the Senator from Connecticut [Mr. DODD], and the Senator from Wyoming [Mr. MCGEE] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Nebraska [Mr. CURTIS] is necessarily absent because of death in the family and, if present and voting, would vote "nay."

The Senator from Kansas [Mr. CARLSON] is detained on official business.

The result was announced—yeas 23, nays 67, as follows:

[No. 218 Leg.]

YEAS—23

Aiken	Byrd, W. Va.	Cooper
Bible	Cannon	Ervin
Boggs	Case	Fong
Javits	Pearson	Scott
Jordan, N.C.	Randolph	Smith
Kuchel	Russell, S.C.	Talmadge
McIntyre	Russell, Ga.	Young, N. Dak.
Morton	Saltonstall	

NAYS—67

Allott	Holland	Murphy
Anderson	Hruska	Muskie
Bartlett	Inouye	Nelson
Bass	Jackson	Neuberger
Bayh	Jordan, Idaho	Pastore
Bennett	Kennedy, Mass.	Pell
Brewster	Kennedy, N.Y.	Prouty
Burdick	Lausche	Proxmire
Cotton	Long, Mo.	Ribicoff
Dirksen	Long, La.	Robertson
Dominick	Magnuson	Simpson
Douglas	Mansfield	Smathers
Eastland	McClellan	Stennis
Ellender	McGovern	Symington
Fannin	McNamara	Thurmond
Fulbright	Metcalf	Tower
Gore	Miller	Tydings
Gruening	Mondale	Williams, N.J.
Harris	Monroney	Williams, Del.
Hart	Montoya	Yarborough
Hartke	Morse	Young, Ohio
Hickenlooper	Moss	
Hill	Mundt	

NOT VOTING—10

Byrd, Va.	Curtis	McGee
Carlson	Dodd	Sparkman
Church	Hayden	
Clark	McCarthy	

So Mr. JAVITS' amendment to the committee amendment was rejected.

Mr. YARBOROUGH. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. KENNEDY of Massachusetts. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. SALTONSTALL. Mr. President, I offer an amendment.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 20, line 14, after "community action agency" it is proposed to insert: "and the Governor of the State in which the community is located".

Mr. SALTONSTALL. Mr. President, I have always been in favor of having the Governor given responsibility in connection with this subject. The Senate has seen fit not to give the Governor the responsibility. I believe the amendment which I have offered is acceptable to both the Senator from Michigan and the Senator from New York. The national Director now gives 5 days' notice to the community director as to what the national Director intends to do in connection with any community action. The amendment adds that the same notice shall also be given to the Governor of the State in which the community is located.

I believe the Senator from Michigan and the Senator from New York will accept the amendment.

Mr. MCNAMARA. Mr. President, on the basis of the explanation given by the Senator from Massachusetts, I am prepared to accept the amendment.

Mr. JAVITS. I am prepared to accept it.

Mr. HICKENLOOPER. Mr. President, I do not want the amendment to be accepted without an understanding being had by Senators that it does not add anything to the situation. I do not like to have the Senate accept it, but I am not going to object to the acceptance of it if the Senate wishes to accept it. However, I do not want anyone to be fooled about this matter. The amendment does not add anything to the power of the Governor. It looks like window dressing, with the little coloring of notice to the Governor.

Mr. SALTONSTALL. Mr. President, I believe it does add something. I agree that it does not give the Governor the veto power. What it does do is to make certain that the Governor, within 5 days after the national Director wishes to establish something in a community, and now, under the bill, must give the community director notice that he intends to do so, shall also give the same notice to the Governor of the State in which the community is located.

It gives the Governor an opportunity to understand what is proposed, and to temper it, if he desires to do so.

We have been defeated on the other amendments. I am heartily in favor of giving the Governors a veto. That has been taken away. As I see it, what we wish to do is to give the Governor notice so that he can take a part in working out whatever problems might exist, smoothing them down, and tempering the situation to the best of his ability. That is what my amendment would do.

Mr. DOMINICK. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. DOMINICK. If the amendment should be adopted, would such action prevent further efforts to present a method of preserving the right of veto tomorrow or whatever other time such a proposal might be made?

The VICE PRESIDENT. The Senator knows that he is at liberty to offer amendments to any other portion of the bill that he sees fit.

Mr. DOMINICK. Does the amendment apply to section 209(c)?

Mr. MCNAMARA. Section 209(b).

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. DOMINICK. I am happy to yield.

Mr. JAVITS. The amendment would apply to section 209(d), which deals with applications from private nonprofit agencies. It provides that the Governor shall receive notice at the same time that the director, namely the Director of the antipoverty program, gets such notice. That action is entirely consistent with what we adopted in relation to section 209(a) for continuing consultation with appropriate State agencies. It is pretty hard to consult unless the parties know what they wish to consult about.

The Senator from Massachusetts [Mr. SALTONSTALL] has spelled that out in respect to the particular question contained in section 209(d).

The VICE PRESIDENT. The Chair informs the Senator from Colorado that the bill may be amended line by line, title by title, and section by section, with the exception of the exact words that have been added or proposed by the Senator from Massachusetts.

Mr. SALTONSTALL. Mr. President, will the Senator from Colorado yield?

Mr. DOMINICK. I thank the Chair.

Mr. President, a further parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. DOMINICK. Do I correctly understand that the amendment is an amendment to section 209(d)?

The VICE PRESIDENT. The Senator is correct.

Mr. SALTONSTALL. It is an amendment to section 209(d), on page 20, line 14. I should like to read what that section provides.

Mr. DOMINICK. I am satisfied. I thank the Senator.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Massachusetts [putting the question].

The Chair is in doubt.

Mr. McNAMARA. Mr. President, I ask for a division.

On a division, the amendment was agreed to.

AMENDMENT NO. 386

Mr. JAVITS. Mr. President, I offer an amendment which I send to the desk and ask to have stated.

The VICE PRESIDENT. The amendment of the Senator from New York will be stated.

The LEGISLATIVE CLERK. On page 24, between lines 15 and 16, insert the following new section:

QUALIFICATIONS OF DIRECTOR

SEC. 18. The second sentence of subsection (a) of section 601 is amended by inserting before the period at the end thereof a comma and the following: "and who shall hold no other Federal office of equivalent rank.".

Renumber the subsequent sections of the bill accordingly.

Mr. DIRKSEN. Mr. President, my understanding is that the amendment laid before the Senate tonight will be the pending question at the conclusion of the morning hour tomorrow.

Mr. MANSFIELD. That is correct.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business this evening, it stand in adjournment until 12 o'clock noon tomorrow.

The VICE PRESIDENT. Without objection, it is so ordered.

ECONOMIC OPPORTUNITY AMENDMENTS OF 1965

The Senate resumed the consideration of the bill (H.R. 8283) to expand the war on poverty and enhance the effectiveness of programs under the Economic Opportunity Act of 1964.

Mr. HARRIS. Mr. President, I intend to vote for the amendment offered by the distinguished Senator from New York [Mr. JAVITS] which is now the pending business, to provide a full-time administrator for the Office of Economic Opportunity.

In so doing, I wish to make three points points clear:

First. I believe in the concept of, and am highly sympathetic with the need for the President's war on poverty. A nation as rich in resources as is the United States, with the great majority of our people living in abundance, must accept its responsibilities to give a helping hand to that portion of our population not in the mainstream of American economic and cultural life. I intend, therefore, to support and vote for the expanded authorization contained in this bill.

Second. Great and rapid progress has been made in the several programs comprising the war on poverty, and I am quite aware of the fact that a program as new and as big as this one is, necessarily must have some unfortunate mistakes in administration and resultant snarls of redtape as it gets underway. I think, however, there have been more administrative difficulties and redtape than the situation warrants. I feel that at least rapid improvement is needed.

I commend the Senate committee and the distinguished Senator from Michigan [Mr. McNAMARA] for recommending an authorization figure lower than that approved by the House. I understand the recommended authorization in this bill is $245 million less than was recommended by the House, plus $150 million to cover the cost of the new program under the Nelson amendment; thus the authorization is $95 million less than was approved by the House. This is in line with the request of the administration, and it represents, I feel, less of a crash program and more of an orderly program, which I think will help those who administer it to reduce some of its administrative difficulties.

Third. Furthermore, I think it is imperative that the program be directed by a full-time administrator. Mr. Shriver is an outstanding public servant. He has done a truly remarkable job with the Peace Corps, but the war on poverty is big enough and important enough to have the undivided attention of its administrator. Mr. Shriver brings an amazing zeal and great ability to this job, but he cannot do everything.

Examples of incidents which have occurred recently in Oklahoma will serve to point up my concern for the present administration of this program.

In Oklahoma City, a Neighborhood Youth Corps program was underway. Then its funds expired in midsummer, and the young people had to be discharged. The Oklahoma congressional delegation was told by the Federal officials that the renewal of the contract had been approved, but official approval was not forthcoming. There was great confusion in the Oklahoma City community, much adverse press and resulting loss of interest and confidence in the program. Even Time magazine carried a critical report on this incident where 300 young people were discharged and later rehired.

In Clinton, Okla., an application was filed for an Operation Head Start program. The Oklahoma congressional delegation was notified that the application had been approved, and we notified the local leaders in late June. By mid-July, no official word had been received by them from OEO. Our office contacted OEO and was told that the project was being held up because there had been no waiver of the Governor's veto of the project. Upon investigation, it was found that the waiver had long since been given by the Governor, but apparently had been lost. Thereafter, the project was approved retroactively so as to pay faculty salaries, but a great part of the summer was lost for the young people the program intended to benefit.

In Altus, Okla., local sponsors of a Neighborhood Youth Corps project became concerned about delay in action on their application and asked our office to check on it for them. They gave us the project number, and we used the project number on our contact with Federal officials. We were given the information that the project had high priority and would be approved soon.

Later it was discovered, and we were notified, that the Federal officials had the wrong project in mind when they gave us this notification and that the project application inquired about had never gotten out of the regional office.

Oklahoma City filed a planning application for a community action project. Notification was given that the application had been approved, but nearly a month later, it had not been funded. Our office was informed that the probable cause in the funding delay was a lack of waiver of veto by the Governor. We passed this information on to the interested local parties as reliable information. Later we learned that the Governor had wired his waiver of veto the very day that approval had been announced, nearly a month earlier.

I am sure that a part of the problem illustrated by these examples is that various parts of the war on poverty are administered by different agencies, and lines of responsibility are not always clear. However, there seems to be much undue delay, sloppy public relations and too much misinformation which embarrasses friends of the program and undermines community support and interest.

It is difficult to get a sharply stated list of criteria by which programs are to be evaluated, and in many instances it is impossible to get agreement among various evaluators.

Therefore, it seems to me we must have a full-time Administrator of this program on the national level, and authorization figures should be held to the amounts approved by the Senate committee so that we allow time for the realities of the program to catch up with its aspirations.

We need a well-staffed, centrally located regional office in our area of America immediately. I understand that progress is being made on this, and it is long overdue. Clear lines of communication, sources of reliable information, must be provided the public.

Administrators at various levels in the program need to have a less defensive attitude toward the Congress. The local citizens generally come to Members of the Congress for assistance and information, and there is no reason why Members of Congress cannot work together in a joint effort with administrators of this program and local communities, since our goals are the same. But to do so, we must be kept up to date and must be furnished reliable information.

I state these criticisms and my own feelings in a helpful spirit, as one of those who support the war on poverty,

founded upon the sound principle that it is a much better investment in America and a much more humane and cheaper investment to help people get the necessary skills and education to enable them to be productive and self-sufficient, than it is to bear the costs of welfare and crime, which almost inevitably will result from nonaction.

I hesitate to detract from a good program, but I state these suggestions only after having made them in writing to Mr. Shriver in a letter dated July 15, 1965, a letter which, as yet, has not been acknowledged.

I shall vote for the Javits amendment to provide a full-time Administrator for OEO. I am not sure that this will cure the administrative ills with which this program is beset, but it is one way of showing that, as one who supports the aims of the war on poverty, I feel there is much room for improvement of its administration.

Mr. YARBOROUGH. Mr. President, when we talk about poverty, we are talking about people. We are talking about 10 million families, American families, who try to shelter, feed, and clothe themselves and their children on less than $60 a week.

An equally startling figure that came out of hearings on this bill is that in this great country of ours, we have 4½ million rural families who are trying to live on weekly incomes of less than $60.

What makes this picture darker is that in rural America we have over 500,000 poor families with a family head older than 55 with less than an eighth grade education. In my own State of Texas, there are over 39,000 such families.

It can easily be seen that their chances of climbing out of poverty are considerably less than those with family heads who are younger.

We have also learned in our hearings and from some economists that poverty in this country is about equally divided between urban and rural areas—and if there is any difference it is caused by the population makeup of our country. More people live in cities than in towns, and for this reason rural poverty is twice as high as urban poverty.

In stating these facts—in comparing rural with urban poverty—I am in no way trying to make a case for letting rural areas get more than may be given urban areas. This legislation does not make a distinction between urban and rural poverty. Its programs are aimed at eliminating poverty wherever it exists and that is as it should be. This is a national problem and this is a national piece of legislation for attacking that problem.

What does disturb me is that if no particular assistance is provided, a large portion of these rural poor families will be forced to move—and if this happens, where will they go? To our cities, of course, where they will join the already large numbers of poor living in the slums.

Is this what we want to happen? Do we want to see our rural poor forced to leave rural areas and compound the problems of city poverty?

I, myself, do not think that this is the answer. The Economic Opportunity Act is broad enough to attack poverty anywhere in our Nation.

The President, in his message to Congress on February 4 of this year, when he discussed in some detail the problems of rural areas and of its people utilizing Federal programs, directed the Secretary of Agriculture to establish a new agency having one aim—to help move Federal programs into rural areas.

This agency, called the Rural Community Development Service, was called upon by Mr. Shriver in May to help rural people participate in the poverty program.

I hope that the Director of the Office of Economic Opportunity will allocate administrative funds to the Department of Agriculture so that they can continue to assist OEO in getting the poverty program into operation in the rural areas.

It is perfectly clear to me that this agreement would be completely in accord with the President's farm message of February 4. I ask unanimous consent that an excerpt from the message be inserted in the RECORD following my remarks.

Let us all hope that Sargent Shriver and Secretary Freeman, who are both dedicated to helping people, work out an arrangement whereby our rural areas will be able to more fully participate in this nationwide war on poverty.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

EXCERPTS FROM THE PRESIDENT'S SPEECH TO THE CONGRESS OF THE UNITED STATES, FEBRUARY 4, 1965

The rural unemployed and underemployed are largely out of sight. Most of them are hidden in the remote valleys of Appalachia and the Ozarks, on the unpaved side roads of the South, in the once-rich timber lands of the North, on Indian reservations, and in the wornout mining communities of the West.

The results of opportunity's decline in rural America are reflected in harsh facts:

Lack of a decent life is almost twice as prevalent in rural America as it is in urban America. Only 30 percent of our families live in rural areas, but they include 46 percent of those American families with incomes under $3,000.

Rural America has almost three times the proportion of substandard houses found in urban areas. A fourth of all farm homes and a fifth of rural nonfarm homes are without running water. Over 14,000 rural communities of more than 100 population lack central water supplies.

Rural people lag almost 2 years behind urban residents in educational attainment. They often suffer from a lower quality of education. Per pupil expenditures for elementary and secondary education in rural school districts are substantially below expenditures in urban districts.

Rural communities lag in health facilities. Rural children receive one-third less medical attention than urban children. Their mortality rate is far higher.

These deficiencies feed on one another. They leave too few resources to support education, health, and other public services essential to development of the talent, skills, and earning power of the people.

PARITY OF OPPORTUNITY FOR RURAL AMERICA

These facts require a national policy for rural America with parity of opportunity as its goal.

There has been a steady migration from our countryside. In the 1950's more than half of America's rural counties suffered a population loss. But farmers who are handicapped by poor health, age, or lack of skill in any occupation outside of farming and who leave their home communities for want of opportunity, often create new problems—for themselves, for the communities they leave, and for the cities which receive them.

When people move away from rural areas, the area suffers. Migration leaves vacant stores, abandoned churches, empty schoolrooms, declining tax bases, and a declining ability to support a minimum level of public service.

This is what we need to have parity of opportunity for rural Americans:

National economic prosperity to increase their employment opportunities;

Full access to education, training, and health services to expand their earning power; and

Economic development of smaller and medium-sized communities to insure a healthy economic base for rural America.

When the rural citizen, his community, business and government cooperate, the chances for a better rural life increase. Local leadership and initiative are necessary if rural development is to keep pace with the needs of the people. But government can and should provide information as well as the technical and financial assistance which will speed progress.

Many measures enacted by the Congress in recent years are assisting rural communities in building new opportunities for their citizens. Others I have recommended this year aim at these same objectives.

The Area Redevelopment Act has helped scores of small- and medium-sized communities through loans to new industrial enterprises and loans and grants for needed public facilities. I will soon make recommendations that will urge this act be improved and made permanent.

Under the Economic Opportunity Act, communities will be carrying out programs to provide new opportunity for low-income rural families.

The Department of Agriculture has a wide range of programs to assist in rural economic development—loans for telephone systems, for recreation enterprises, for development of forest resources, for community water systems, and for rural housing. The small watershed and resources conservation and development programs add to business activity in rural areas.

The development of new job opportunities in rural areas has been considerably aided in the past by a strong program of rural electrification. The ability of rural areas to attract and support industrial activities—one of the fundamental solutions to the basic problem of our farm population—rests in very large part upon the availability of electric power. We must and will continue our efforts to enable those areas that do not presently possess an adequate power supply to meet their growing demands and insure that the benefits of industrial diversification are available in rural areas.

Many other activities of the Government are assisting businessmen and farmers to revive dying economies and raise the level of public services in rural areas. These include aid for community facilities, employment services, health and education programs, small business loans, job training, and development of outdoor recreation.

Yet gaps remain between the levels of living in rural America and those of urban America: in income, in education, in housing, in health and sanitation facilities. Parity of opportunity remains a distant hope for many. It is a challenge we must meet head on.

REACHING OUT TO RURAL AREAS

In my earlier messages to the Congress, particularly those on education and health,

I have proposed measures to assist those areas of our country and those families most in need, both urban and rural.

It is not easy to equitably distribute Federal assistance to a scattered rural population. Rural communities often lack the specialized organizations found in major cities which keep informed of development programs and initiate action to make use of them. Special measures must be taken both by the States, and by Federal agencies to reach rural people, particularly in remote areas.

Since it is clear that an administrative office for each Federal agency or program cannot and should not be established in every county, a method must be developed to extend the reach of those Federal agencies and programs which should, but do not now, effectively serve rural areas.

Accordingly, I have asked:

1. Each department and agency administering a program which can benefit rural people to assure that its benefits are distributed equitably between urban and rural areas.

2. The Secretary of Agriculture and the Director of the Budget to review carefully with the head of each department or agency involved, the administrative obstacles which may stand in the way of such equitable distribution. They should propose administrative or legislative steps which can be taken to assure that equity is attained to assure full participation by rural areas.

3. The Secretary of Agriculture to put the facilities of his field offices at the disposal of all Federal agencies to assist them in making their programs effective in rural areas. The Secretary is creating within the Department of Agriculture a Rural Community Development Service, which will have no operating programs of its own but will devote its energies to assisting other agencies in extending their services. I have requested funds in the 1966 budget to finance this service and to strengthen the capacity of the Cooperative Federal-State Extension Service to assist rural communities in forming strong and active development organizations.

Mr. FULBRIGHT. Mr. President, I am aware of imperfections in administration of the economic opportunity programs. But these imperfections should not be permitted to obscure the real accomplishments, and the worthy purposes, of this effort to uplift and redeem the many thousands of young people who have never before had a chance to glimpse the vast horizon of an abundant America.

The purposes of these programs are clear and worthy. The accomplishments are real and lasting. The mistakes in administration will diminish.

The perfection and continuation of these programs are proper steps in our determination "to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common Defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity."

These words from the preamble to our Constitution appropriately state the goals of this economic opportunity legislation. Many children and young people in Arkansas, and throughout the Union, will be given a chance to contribute to and participate in the fulfillment of these constitutional goals.

Mr. President, I ask unanimous consent for insertion of an article by Mr. Mark R. Arnold from the August 16 issue of the National Observer. This article relates some of the achievements of the Head Start project in Yell County, Ark.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HOW PROJECT HEAD START IS WORKING: YELL COUNTY GETS A HANDLE ON POVERTY PROBLEM

OLA, ARK.—Cindy is a 5-year-old girl with delicate features and flowing black hair who had never seen an elephant. But last month she and her 39 classmates at a local school in Yell County here boarded a bus, clutching their picnic lunches, and drove to Little Rock, 90 miles to the east. There, at the zoo, she saw an elephant. "It had a long nose," she exclaimed last week. "It was bigger than a turtle. Bigger than my daddy." Now she draws pictures of elephants in water colors, and pictures of herself, which show a girl with spindly legs, a round stomach, and a grin on her face.

Cindy doesn't know it, but the trip to the zoo, the water colors, the songs she's taught to sing, the nourishing lunch she's served in school, the games she's taught to play—even the contests to see who can wash his hands the cleanest—all are designed to prepare her for entering first grade next month. For Cindy is one of those 500,000 children who are enrolled in the Federal antipoverty program's Project Head Start, the program aimed at bringing youngsters from what sociologists call "culturally deprived" homes closer to the level of the classmates they will soon meet. The program originally was planned as an 8-week summer project, but the response has been so good, said Federal Antipoverty Director R. Sargent Shriver last week, that the Government will make Head Start a year-round project.

Rural Yell County, where a steadily declining population (now 12,000) exists on an average income of $2,600 a year, is a good place to see Project Head Start in operation. It is a county where girls and boys from homes like Cindy's have traditionally quit school long before graduation. There are as many adults here with less than an eighth grade education as there are with more.

SCANT SCHOOLING IS NO BAR

One reason for the high dropout rate is that a limited education has never served as much of a handicap. Yell County residents could make a living on family farms growing row crops like corn and cotton, or find employment in one of the sawmills and wood-pulp factories that process timber from the area's deep forests.

But things are changing, here as in other rural areas. Increasingly, larger farms are squeezing out the small producer, and cutbacks in the timber industry have idled many. To provide steady employment and curb the steady population loss to the cities (15 percent since 1950), county leaders are seeking to attract new industry and develop the area's lakes and woods for recreation. Industry's demand for a skilled labor supply spurred the county to establish an antipoverty program, with the emphasis on education. Project Head Start is part of the effort.

Explains Mrs. Hazel Marcum, a fourth grade teacher, who directs the local Head Start project: "A lot of kids show up for the first day of school showing serious effects from neglect. They don't have shoes or they're not clean. Some from large families can't say more than a few words. They can't keep up in class and they're laughed at. It doesn't take long before they lose interest."

WHAT THE CHILDREN ARE TAUGHT

To prevent this year's crop of first-graders from being "laughed at," the Federal Government is pouring $84 million in antipoverty funds into Head Start projects in 2,300 communities. Yell County's program cost $49,000, 90 percent of it to be paid by the Federal Government. The county will pay the rest. At half-day sessions in the county's seven schools, 233 pupils learn to recognize colors and shapes, to use scissors, listen to music, recite nursery rhymes, and identify simple household objects like a toothbrush and a bar of soap.

In addition to the zoo, the youngsters have been taken on trips to a supermarket, a dam, a movie (Walt Disney's "Cinderella"), a library and to Arkansas Polytechnic College in nearby Russellville, where an unexpected attraction proved to be the public rest rooms. "Many of them had never seen indoor plumbing before," a teacher explained.

Visit the Ola School here and you get an idea of the problem. A few faces are gaunt. One child has burns on her chin, which her teachers think might have come from huddling too close to a stove to keep warm. Mrs. Marcum points to a thin girl at the corner of a table who is rubbing her eyes, and whose dress hangs down almost to her ankles.

"We had a devil of a time getting her here," she says. "It took three visits to the home before her mother would let her come. Some of the other children in the family have never been to school. Their mother said there was no use sending them.

SHE'S GETTING ANIMATED

"When we finally got her, she did not eat her snack (of milk and cookies) in the morning, or her lunch for 3 days. Just chewed bubble gum off in a corner and rubbed her eyes. Now she's eating and beginning to talk to the other children. At the zoo, she jumped around like crazy, and she talked the whole way back on the bus."

But these children are exceptions. Most are normal, healthy, and active. "Want to look at my coloring book?" one of the class' two Negro pupils asks. He wants a visitor to see a crayon drawing he did, a caged hamster, and a plant that he and other youngsters take turns watering.

If you judge Head Start as an experiment in cultural enrichment it seems to be working well here. The children benefiting by 8 weeks of special summer schooling are indeed from impoverished homes. A ratio of 1 teacher for each 16 pupils assures personal attention to each child's needs, and the work of the teachers is supplemented by 14 teacher aides, most of them college students or graduates.

But Head Start is not without its problems here, and those problems are reflected in the experiences of other Head Start communities across the Nation.

Antipoverty officials in Washington argue that if the opportunity offered to Head Start youth is to have any lasting effect, it must be reinforced in the home. The program, therefore, provides for employing parents of the children as paid volunteers in the schools (as teacher aides and recreation leaders, for example), and for extending community services to help parents with family problems. Under the Yell County program, five home economists have been hired to teach low-income mothers proper budgeting, cooking skills, nutrition, and health care.

But this part of the program has met with little success. Says Boss Mitchell, Yell County antipoverty director: "When some of these mothers are working 8 or 9 hours a day they do not feel like going to a meeting at night to learn how to run their home. Some who are not working would not be good examples for the kids in school. Or they have a feeling that their clothes are not good enough or their hair's not fixed right."

Medical treatment is another problem. Every youngster in Head Start is to be given a complete health checkup. Under Yell County's budget, local physicians are paid $2

and local dentists $2 for each examination they give. But Washington has made no allowance for correcting the deficiencies detected. Examinations on local children here have revealed deficiencies, including bad teeth, malnutrition, possible tuberculosis, and one child suffering from a heart defect. Mrs. Marcum hopes that local welfare funds will be made available to treat some children but she has no assurance of it.

Head Start officials in Washington acknowledge these problems. "This parental involvement thing has not gone as well as we think it can go," says Jule M. Sugarman, the program's deputy associate director, "but we've made a start." Head Start administrators say they anticipated that some medical problems might go uncorrected, but they reason that uncovering the deficiencies is an achievement nonetheless.

SOME SIDE EFFECTS

Though it is too early to assess the results of Head Start, the program has already had some notable side effects in Yell County. It is the first major project undertaken jointly by the county's seven autonomous school districts. In the past, programs such as foreign-language instruction or music that no single school district could support have sometimes been abandoned because of lack of cooperation among the districts. Head Start also appears to have wiped out the last vestiges of racial segregation in county schools. Washington insisted on countywide integration as a condition of releasing Head Start funds. Finally, the project has set precedent by keeping school doors open during the summer months.

Local officials now seek to employ county schools as a year-round weapon in the antipoverty program. Twenty-six adults are learning to read and write in new basic education education classes. Vocational-training courses have been proposed to teach new skills to the jobless. Remedial reading classes for potential school dropouts, begun this summer, will be expanded when the fall term begins. And if Washington approves the county's $150,000 request for a continuation of Head Start, next year's crop of low-income firstgraders may get a heavier dose of preschool training than was available this summer.

"I don't guess we have any more of a poverty problem than a lot of other areas," says County Antipoverty Chief Mitchell. "But we've got a handle on our problem. With a little bit of education, maybe we can lick it."

MARK R. ARNOLD.

Mr. TOWER. Mr. President, I know that we all recognize the existence in scattered areas of pockets of poverty and despair. Indeed, I believe we all give recognition to the despair and suffering that go hand in hand with such poverty. There is not one here I am sure who does not have deep concern for those affected by poverty. All wish to take effective steps toward ending it.

The present program does not take effective steps to end existing poverty. The present program has flaws so serious, that if they are not corrected now, there will be even less assistance to the poor next year.

Nowhere in the Federal Government today, nor for that matter in the past, have we seen or do we see, more evidence of bureaucratic clumsiness and bungling than in the poverty program. It has a part-time Director and a tremendous number of highly salaried executives, with an accompanying short supply of largely untrained, and in many cases, disorganized and unqualified field personnel.

As a result, little or no help at all has come to the poor. Let us consider for the moment statistics pointed out in the minority report on the bill:

In the Office of Economic Opportunity there is 1 supergrade position for every 18 employees, and 1 supergrade in the Department of Agriculture for every 500 employees. While we have yet to see any evidence that economic opportunities will be provided for the poor by OEO, it is not difficult, ironically, to conclude that the supergrade positions, which entail salaries of from $19,000 to $24,500, create a great deal of economic opportunity for bureaucrats. Because of the superabundance of supergrades and the resulting high ratio of administrators to personnel, it has even been reported that OEO has had to hire special consultants at high cost merely to answer the daily mail. Some of these consultants are paid as much as $100 a day for their efforts.

OEO bureaucrats are also getting rich from the salaries paid to them as local directors of the antipoverty program. In New Jersey the State director of the Office of Economic Opportunity receives $25,000 a year, a higher salary than is paid to any member of the New Jersey Governor's cabinet. One county in New Jersey received a grant of $67,000, but unfortunately the poor did not benefit greatly from the grant. All but $15,000 of the grant was earmarked for salaries and administrative expense. In Indiana OEO paid salaries 25 percent higher than those paid by the State for comparable positions in public schools.

Perhaps the most glaring shortcoming of the poverty program is its complete lack, its complete failure, to coordinate local and State and private programs to assist the poor, with Federal programs. It would take considerable time to detail the number of complaints from local governments. The Office of Economic Opportunity has been accused, and I might point out, by members of the administration's own party of trying to wreck local government by setting the poor against city hall. Other local citizenry have criticized the poverty program because in many areas it has been initiated without requesting assistance from local charities who have had experience with local problems.

Of paramount significance in the bill now being considered has been the elimination of one of the very few safeguards, that is the gubernatorial veto. I might point out here, that were it not for the inclusion of the veto by the Congress last year, the poverty program would most probably not have received congressional approval. And now, we are asked to delete the veto. As the minority report points out:

The most unfortunate Senate committee change in H.R. 8383, however, was the act of eliminating completely the veto power of State Governors over activities encompassed in certain sections of titles I and II. H.R. 8283 was bad enough in this respect as it came from the House. The House-passed version left a veto power for the Governors but permitted that veto to be overridden within 30 days by the Director of OEO. Largely because of internecine warfare in the Democratic Party in the State of Texas, this committee knocked out the House version and eliminated entirely any right of a Governor to exercise his State's sovereignty over activities in and affecting his State. This was done in the face of a resolution passed, with only one dissenting vote, at the recent Governors' conference held in Minneapolis. This resolution, introduced by Democratic Governor Sawyer of Nevada, urged the committee to reinstate the previous provision for the Governor's veto.

Mr. President, Governors have stated on innumerous occasions that threatened use of the veto power is their only means of getting the poverty czars to consult with State antipoverty agencies before going ahead with programs. Thus far, the veto has been exercised only where community action programs have been established under the jurisdiction of blatantly political groups. There is no evidence to show abuse of the power.

Mr. President, abuses under the existing poverty program are legion. We could cite case after case of incidents, many of a most serious nature, perpetuated by recipients of the program. The pending bill, designed proponents say to strengthen and expand the war on poverty, will most assuredly only lead to an increase in difficulties presently encountered.

It is a fact that the poverty program is bogged down so heavily in politics and bureaucratic bungling that little assistance to the poor has been forthcoming. The program must be better coordinated between Federal, State, local, and private organizations. The gubernatorial veto should have been retained so that local and State efforts will not be completely subordinated.

Mr. President, we must take cognizance of mistakes thus far made. We must provide for ways to correct such mistakes. We must not now provide machinery for additional ones.

Mr. BARTLETT. Mr. President, I rise in support of H.R. 8283, a bill to expand the war on poverty, to continue and improve the programs established under the Economic Opportunity Act of 1964.

Churchill once wrote:

I pass with relief from the tossing sea of cause and theory to the firm ground of result and fact.

Our Nation is now at such a transition point in its efforts to deal with "the other America." It is not that we fully understand the extent of poverty, its roots, the reinforcing effect of its various manifestations, or the reasons for its ironic persistence in a context of national affluence. But we have begun to put the knowledge we do have to work. We have begun a frontal attack on the Nation's subculture of misery. Much has been done in the 10 months since the Office of Economic Opportunity was established. I support H.R. 8283 as a means to continue the national assault on poverty and to expand and improve our efforts.

Alaska, and particularly rural native Alaska, has by no means escaped the blight of poverty. In fact, many of the areas of the State are subject to economic deprivations and physical hardships as severe as any to be found in the Nation. Almost one fourth of our households have an annual income of less than

$4,000; this is even less adequate in Alaska than it would be in the other States. The average per capita income in the Kuskokwim District is $1,402, some $448 below the national average. Around Nome the figure is $1,222; for the Kobuk area, $675. The Wade Hampton District has the lowest per capita income to be found in the entire Nation: $424.

Unemployment figures tell a similar story. The Statewide average for 1964 was 7.3 percent, considerably above the national average. Rural and native areas displayed incredibly high unemployment rates: 32 percent in the Wade Hampton District; 28 percent in the Kobuk, Bethel, and Kuskokwim areas, 24 percent around Prince of Wales Island, 20 percent around Nome, 15 percent in the Kenai area, and 13 percent in the Bristol Bay District.

These statistics represent stubborn problems, problems not amenable to quick or easy solutions. But we have made a start. The projects begun during the last few months are such as to give new hope to thousands of Alaskans. Here are a few examples:

The State has received over $1½ million for the establishment of Youth Corps programs in several areas. A number of these projects have furnished summer employment for needy students; others will furnish experience and training during the school year, generally as a supplement to classwork. Ninety youths have been aided at Nome, 150 at Sitka, 100 in the Greater Juneau Borough, 100 in the North Star Borough, and 250 in Anchorage. The most ambitious Youth Corps program, and one aiming directly at some of Alaska's most desperately deprived areas, is being carried out by the Alaska Rural Development Agency. Federal grants of over $1 million will be used to employ and train 625 youths in the lower and central Kuskokwim and lower Yukon River areas.

Project Head Start also got underway in Alaska this summer, made possible by some $1 million in Federal funds. Seven hundred and fifty children, most of them from poor families, with a leavening from families better situated with respect to income, have been enabled to enter kindergarten or first grade better equipped to compete with their more fortunate classmates. Anchorage, Kodiak, Fairbanks, Nome, Gateway Borough, North Star Borough, Juneau, Hoonah, Haines-Port Chilkoot, Ketchikan, and Kenai were among those communities participating in the Head Start program.

Financial hardships have been eased for a number of the State's college students through the Economic Opportunity Act's work-study program. The University of Alaska has already been enabled to expand its part-time work opportunities through $38,902 in work-study grants; the university is scheduled for a $38,192 grant for the coming fall semester, Alaska Methodist University for $21,177, and Sheldon Jackson Junior College for $2,916.

Work-experience program funds have financed training programs for 50 welfare recipients, with 250 dependents, in the Juneau area. Included in the program have been housekeeper, maintenance, clerical, and harbor-master trainees.

Volunteers looking toward assignment in villages on the Bethel Peninsula are currently being trained at the University of Alaska. These 30 VISTA workers will be trained in health and sanitation, remedial education, home economics, and the development of native crafts.

Another imaginative program is helping seven towns in southeast Alaska—Klawock, Saxman, Petersburg, Angoon, Wrangell, Kake, and Metlakatla—provide for day care for children during the fishery canning season. The program will reach over 400 children, many from rural areas, and will involve $184,717 in Federal funds.

One hundred loans totaling $158,110 have already been made available to Alaskans under the Economic Opportunity Act's title III program to combat poverty in rural areas, and 134 applications from the State are currently pending. The fact that this program, administered by the Farmers Home Administration, is not limited to farm families has enhanced its applicability to Alaska. Rural Alaskans have been enabled to purchase fishing, trapping, and hunting gear, acquire electrical and mechanical equipment, and make other investments to increase their income.

The State has also been allotted $50,000 for adult education programs, $32,000 for the development and coordination of work-experience programs, and $61,280 for technical assistance in community action programs.

I regard these programs, Mr. President, as a remarkable first effort in what will be a long, perhaps never-ending struggle against poverty. The beginning which Alaska has made is a credit to the OEO and to local and State leaders as well. And of course our efforts in Alaska are only part of a much larger picture. Exciting and encouraging projects are underway all over the Nation. A "Books for Appalachia" drive has collected 500,000 volumes, making it possible for 800 one- and two-room schools in eastern Kentucky to have libraries for the first time. VISTA workers have been assigned to impoverished Indian reservations throughout the country, and programs in adult education, health and sanitation, and vocational training have gotten underway. An entire city block in New York's Harlem district is to be renovated and activity centers for preschool classes, health clinics, and employment training are to be set up. Six hundred college students are providing special tutorial assistance to 10,000 low-income high school students in 11 counties of Alabama.

The national record includes the establishment of 47 Job Corps centers with 10,000 enrollees; the inauguration of 639 Youth Corps projects to provide training for 300,000; the assistance of 54,000 low-income college students through work-study programs in 648 schools; the establishment of 2,400 Head Start programs, serving half a million preschool children; the reaching of 43,372 adults through rudimentary education programs; the provision of housing, sanitation, day-care, and education assistance to 75,000 migrant agricultural workers; the extension of 11,000 low-interest loans to poor rural families; and the provision of work-training to 88,700 welfare recipients.

H.R. 8283, Mr. President, will improve and expand these programs. It will provide for the continuation of projects that have already reached over 3 million of the Nation's poor and which, I am convinced, can improve the quality of life for millions more. I strongly urge its adoption. And I look forward eagerly to the expanded programs and accelerated progress which the bill should make possible.

Mr. MURPHY. Mr. President, it is obvious and indisputable that in its first year the war on poverty has been plagued with problems, delays, confusion, and political turmoil. To even the most casual observer it is apparent that the poverty program is stalled and stagnate throughout the Nation in self-generated chaos. As a survey of the Scripps-Howard newspapers disclosed last month, most of the ten major programs under the Economic Opportunity Act have not come close to achieving their objectives. In Los Angeles, Chicago, New York, Cleveland, Omaha, Albany, and many other cities across the Nation, the program has produced sharp controversy and has been embroiled in political power struggles unmatched in intensity in recent years.

In no State has the program faced greater problems and produced more controversy than in the State of California. Democrats and Republicans alike have criticized it. Governor Edmund Brown said at the Western Governor's Conference it was scandalous that politicians, including elected officials, were fighting each other for fat-salaried war on poverty jobs for themselves and their friends solely to enhance their patronage.

Mayor Yorty, of Los Angeles, has charged that the war on poverty is a "huge political porkbarrel."

Democratic Congressman B. F. SISK said recently that the antipoverty program is "not working well" in California, and that "the program is bogged down in nine different directions."

A survey of the situation in California reveals that the criticism is well founded. In Los Angeles, the war on poverty has been stalled for months in what has become a major political struggle between two factions of the Democratic Party. The poor of Los Angeles, like the poverty stricken all across the Nation, were promised solutions to their problems when the Economic Opportunity Act was passed last year. No help has come. The frustration, the disappointment, the feeling of having been taken in again—these emotions are not hard to imagine, and they have become widespread. The House Subcommittee on Poverty got a glimpe of the bitterness and tension in Los Angeles when it held hearings on the antipoverty program just 4 days before the tragic riots ripped that city. The chairman of that subcommittee, Congressman AUGUSTUS F. HAWKINS, has

tied the violence to the failure of officials to get the poverty program moving.

In San Francisco the controversy over the makeup of the commission to administer funds delayed the program for months, and a total deadlock was averted only by the resourcefulness of Mayor Shelley.

In Fresno, antipoverty funds have been threatened by a similar dispute over control of the program.

In Oakland, according to a recent article in the Oakland Tribune, the antipoverty program is a "snafu," a "confusing and bewildering operation." The problem was largely attributed to the fact that there has been "undue haste to get something started."

In Contra Costa County, according to reports of the Richmond Independent, the program is "divided, clumsy, and costly," and after 9 months "has yet to help a significant number of county's poor." I received a lengthy letter from the Richmond chapter of CORE asking that the funds be withheld until the mess could be straightened out.

In a telegram to me last month, State superintendent of public instruction, Dr. Max Rafferty, said that coordination between the Federal Government and local applicants had been poor, that "advance planning has been almost nil," that "project approvals have been on a hit or miss basis."

Most of California's leading newspapers have editorialized on the war on poverty and have provided incisive analysis and criticism of the program. To cite a few, the Los Angeles Times of July 4, 1965, stated:

> The poor of Los Angeles County have already paid a high price for the failure of local and State governmental agencies to agree on how to administer antipoverty program funds * * *. In recent months the poor have been all but forgotten in the power struggle for control of the antipoverty effort.

No final compromise agreement has yet been reached. The Long Beach Press-Telegram, in an editorial of July 12 entitled "A Stalled Poverty War," calls attention to administrative decision-making and control problems involved in allocating poverty funds. The editorial concludes:

> One thing is certain. Nobody will benefit from the antipoverty war if the program remains bogged down in disagreement over the makeup of the general staff.

The San Francisco News Call Bulletin reached a similar conclusion on July 12:

> Pursuit of the poverty war in San Francisco—and elsewhere—calls for dedication on the part of everyone involved. It must not be allowed to become an arena for a power struggle.

And the San Diego Union on July 20 in an editorial entitled "War on Poverty Tastes Defeat," states:

> It is becoming increasingly apparent as the so-called war on poverty unfolds that the only unemployment solved today is that of Washington bureaucrats desperately trying to spend appropriated funds.
>
> The inflexible and poor administration has been a mark of the war on poverty since its inception. It has arbitrarily assumed a set of conditions and tried to fit all problems into the boundaries, regardless of local conditions and pleas.
>
> As a result, vast sums have been spent on administration instead of the poor. Local wishes have succumbed to pressures that fit them into the preconceived mold. Flexibility has all but vanished.

And finally, the Oakland Tribune on August 12 in an editorial on "Politics and Poverty," states:

> All the unsavory grubbiness of the political spoils system have plagued operations of the war on poverty since it was authorized.
>
> High-salaried jobs, and the right to decide who should get them, are the prize sought by local politicians fighting for control of the program in many areas. There is a very real danger that this money-dispensing program may become merely a war chest for big city political machines * * *.

Mr. President, the unavoidable conclusion is that the war on poverty is in trouble, deep trouble.

If a change is not forthcoming, and if evidence continues to mount that funds are not doing the job of helping the poor but rather are being caught up in an ever-widening whirlpool of politics and patronage, then the war on poverty will collapse.

I would hate to see that happen. As I am sure most of my colleagues will agree, many of the ideas and programs of the Antipoverty Act are good, imaginative approaches to a national problem all Americans want to solve. Many of the programs can go far toward improving the opportunities of the poor to help themselves out of the mire of poverty in which they have found themselves since birth. And a few, such as Project Head Start, have had an impressive beginning and have promising futures. It would be tragic to see these programs dragged down because of poor planning, mismanagement, and waste, as well as political competition.

As a member of the Special Subcommittee on Poverty of the Labor and Public Welfare Committee, I offered an amendment which would help eliminate politics from the community action program and the VISTA program. I commend the distinguished Senator from Michigan [Mr. McNAMARA] and my colleagues on both sides of the aisle for accepting this amendment. It will help prevent the program from being used for partisan purposes by politicians whose main concern is not for the poor but for their own power.

On pages 13 and 14 of the Senate committee report is an explanation of my amendment as accepted by the committee, and I read from the report:

> The committee has added a subsection to section 211 designed to make the Hatch Act applicable to employees of community action agencies. Under the committee amendment, these employees would be prohibited from engaging in political activity where they are paid in principal part from Federal funds.
>
> When public agencies are recognized as the local community action agencies, the Hatch Act is already applicable. When private nonprofit agencies are recognized, however, the act does not apply. The committee's amendment reflects the belief that the success of community action programs could be adversely affected if local antipoverty officials were actively engaged in partisan politics. Such engagement could impart a partisan character to a program which should be based on a broad spectrum of support within the community.

Also, Mr. President, on page 16 the Senate report discusses my amendment as applicable to the VISTA volunteers, and I read from the report:

> The bill includes, finally, one additional amendment relating to VISTA which was adopted by the committee. This would make the Hatch Political Activities Act applicable to volunteers. Although volunteers for many purposes are not deemed employees of the Federal Government, their relationship with the Government has many characteristics of an employment relationship. The committee believes that they should be subject to the same restrictions on political activity as regular Federal employees.

I am hopeful that, the coming year will see an improvement in this area.

But, Mr. President, I think it would be most irresponsible to think of increasing the authorizations for the Office of Economic Opportunity before improvements are forthcoming.

I have heard many of my colleagues shrug off the criticism that has come from all around the country with the admonition that "this is still an experimental program. There are bound to be bugs at first." I agree. But I say that we cannot consider increasing the funds until those bugs are worked out. We cannot double the expenditures for a program which has had, in balance, a deplorable record in its first year until we have some guarantee that that record will be improved. We cannot commit an additional $750 million when the only evidence we have indicates that that money may well be wasted in the largest political boondoggles in the history of this Nation. I cannot, in good conscience, vote to double the amount of money poured down the drain of patronage and mismanagement as I have seen in California.

Mr. President, I have pledged to the people of my State that I would carefully examine every proposal and program to come before the Senate to be sure that it would use the taxpayer's money efficiently and effectively. If any measure failed to meet these basic requirements of good government, I pledged in the best interests of the people of California and the Nation to vote against it. I am sorry to say that as presently conceived and administered, the war on poverty does not meet these requirements and I cannot agree to double its authorization.

I urge my colleagues to defeat this measure.

THE VISTA PROGRAM

Mr. MUSKIE. Mr. President, I support the Economic Opportunity Amendments of 1965. At this time I wish to state my support for the provisions of the bill which would strengthen and expand the VISTA program.

Present law strictly limits the kinds of activities to which VISTA volunteers may be assigned. Assigned volunteers may serve in only a limited list of activities, all of which are connected with the Federal Government—projects supported under titles I and II of the Economic Opportunity Act; projects for Indians on reservations, migrants and residents of Federal territories; projects in federally assisted mental health and re-

tardation facilities. Impoverished people who are not involved in programs with a suitable Federal association may not receive the services of assigned volunteers.

I have seen, in my own State of Maine, the hardship that these somewhat arbitrary limitations can cause. The Passamaquoddy and Penebscot Indians of Maine do not live on Federal reservations. Some live on reservations provided by the State and some live in distinct communities off the reservations. Many of these people are desperately poor. They need the help that VISTA volunteers can give them to start them on the road to a better life. Yet because they do not live on Federal reservations and because they are not the beneficiaries of community action programs or other programs under titles I and II of the Economic Opportunity Act, it is doubtful under present law whether any of these people may receive the services of assigned volunteers.

The bill now before us would remedy this inequity. It would permit local organizations or groups of citizens to request and receive the assistance of assigned VISTA volunteers in any local antipoverty program or activity that is of a character eligible for assistance under the act. It would no longer matter whether the program had a Federal connection or was, in fact, supported under another provision of the act.

This bill will, I think, better permit VISTA to fulfill the purposes for which it was created. Volunteers do of course work in existing community action programs and in a wide variety of other federally supported projects. But from the outset it was also the intention of Congress that volunteers should often be the first assault wave in the war on poverty. They should work in communities that have not yet developed community action programs. They should work with the people who have not yet articulated their needs and who have not yet planned a concerted attack on their problems. VISTA volunteers should serve, with the Indians and communities of my State and with the disadvantaged throughout this land, as sources of encouragement and knowledge, as catalysts to help the impoverished develop their own programs for the conquest of poverty.

In many cases, therefore, VISTA volunteers should be assigned to communities before the communities have received any other Federal assistance or established any other Federal tie. The bill now before us would make it clear that the law both permits and intends this.

SENATOR RANDOLPH SUPPORTS ECONOMIC OPPORTUNITY AMENDMENTS OF 1965—LISTS PROJECTS IN WEST VIRGINIA

Mr. RANDOLPH. Mr. President, probably tomorrow Senate Members will vote on the Economic Opportunity Amendments of 1965, a bill to expand the effort against poverty and to enhance the effectiveness of the Economic Opportunity Act of last year.

This vital legislation will provide worthwhile work projects, training, and employment for the needy persons in the United States. The Senator from Michigan [Mr. McNAMARA] has congently pointed out for us the many nationwide accomplishments of this program during the first 9 months of operation. It is truly an impressive record.

Assuredly, no person believes that this one program is the panacea for all the problems of those low-income families and single individuals who do not enjoy the benefits of our affluent society. There has been a commendable beginning in the efforts to eradicate the ancient enemies of poverty, ignorance, and disease, adversaries which, if allowed to thrive will continue to lay waste the vital manpower of our Nation. The past year has seen significant progress toward a better tomorrow and a more meaningful life for the American citizen.

We cannot deny that there have been problems—yes, even mistakes—during this initial year but we must remember that the Office of Economic Opportunity has faced the monumental tasks of recruiting and organizing a staff, formulating the programs, and developing regulations and procedures for administration.

This is a progressive and coordinated plan to attack the roots of poverty and as such there would undoubtedly be problems and controversies. However, when weighing the constructive assistance rendered to our people, the balance sheet shows meaningful success. The critics cannot overshadow these accomplishments. I am reminded of the words of Theodore Roosevelt:

> It is not the critic who counts * * * the credit belongs to the man who is actually in the arena; whose face is marred by dust and sweat and blood; who strives valiantly.

The Office of Economic Opportunity, our States, our communities, and individual citizens are in the arena fighting the war on poverty. We again have the opportunity to assist in this battle. We are continuing to strive—and to do the task.

In West Virginia we moved rapidly when the Economic Opportunity Act, which I cosponsored, became law last August. In the first 9 months of the war on poverty, West Virginia has been allocated $21.4 million in Federal funds. That sum has been approved for programs to provide direct assistance to more than 40,000 of the State's neediest persons.

Our State has been especially active in four classifications of the antipoverty program:

Project Head Start for preschool children, with 18,502 enrolled and all counties participating.

Job Corps for remedial and vocational education, with more than 8,400 young persons between 16 and 21 saying that they want to enter the program.

Work experience program for educational services and counseling to the 10,000 men in the State work and training program and 2,000 women receiving aid to dependent children. The State received its largest single grant—11.8 million, or more than half of the entire total of all allocations—for expenditures in this classification.

Volunteers in Service to America—VISTA—or Domestic Peace Corps, has a program approved for the State department of mental health. A total of 168 volunteers are to work in a four-stage program in State hospitals and in the field to provide a variety of badly needed services.

The allocation of Federal funds for nine classifications under the Economic Opportunity Program includes:

Neighborhood Youth Corps, $3,465,204; college work-study, $295,507; community action programs, $1,456,358; program development projects, $342,396; Project Head Start, $2,875,573; Economic Opportunity Agency, $84,015; adult basic education, $233,391; rural loans, $874,840; and work experience program, $11,848,400.

It should be noted that this report covers a less-than-9-month period, ending June 30, and includes all allocations since they were first authorized by Congress.

Since June 30, an additional $307,096,000 has been approved for remedial reading programs in three counties.

Governor Hulett Smith recently stated:

> We have had some failures, as well as these successes. The Small Business Incentive Program has been at a standstill in the State. However, staff members are working with West Virginia University and Federal officials on the incentive program and a sound and workable proposal has been submitted.

I feel this record is truly indicative of the work which can be accomplished through this comprehensive program. West Virginians are cooperating in this record and on behalf of the citizens of our Mountain State I have given my support to the Economic Opportunity Amendments of 1965 and to future endeavors under this essential program.

In the Labor and Public Welfare Committee, during hearings and consideration of the testimony of qualified witnesses, I have been convinced that carping criticism cannot tear down this worthwhile program. I continue my strong support of the measure—and the mission on which we are committed.

EXPANSION OF MEAT EXPORT INDUSTRY

Mr. DIRKSEN. Mr. President, now, as never before, the United States faces an opportunity to expand its meat export industry and on a long-range basis.

The market for beef in the United Kingdom and Europe is constantly growing. At the same time, their traditional major beef supplier, the Argentine, seems to be facing disaster in its own beef export efforts.

I ask unanimous consent to have printed at this point in the RECORD an excerpt from the August 9 issue of Foreign Agriculture, USDA publication.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

ARGENTINE BEEF EXPORTS DROP SHARPLY

Increases in cattle prices since late June in Argentina, the result of greater domestic demand for beef, have led packers to greatly reduce operations and to buy only token quantities for export. Steer prices reached the equivalent of about 20 U.S. cents per pound in mid-July.

Government measures to discourage domestic consumption and to directly stimulate exports have not halted the decline in shipments. These measures include the establishment of 2 beefless days a week, the requirement that steers from 900 to 1,055 pounds be sold only for export, and the granting of tax benefits to exporters to help offest the price differential between foreign and domestic markets.

Argentine beef exports during January-May 1965 were about 30 percent less than in the same period of 1964 and may decline still further unless means are found to make exports more profitable.

Mr. DIRKSEN. The same publication, elsewhere in the same issue, and many others have more than confirmed the fact that Europe's meat shortage is a real one; that, because of the inability of the Argentine to supply the needs, a "vacuum" is developing rapidly in the European and the United Kingdom meat markets.

I am not unaware of the fact that the present administration has been making some moves, in conjunction with the American Meat Institute, to expand the market for American meat and meat products in the United Kingdom and on the European continent.

At the same time, however, our own U.S. beef and meat industries face various complex problems in seeking, fully and on a long-range basis, to exploit this European meat "vacuum" where, heretofore, the Argentine had always reigned supreme.

For example, the price differential between costs for U.S. meat and that in Europe must be solved. Our high labor rates here contribute to create this price differential.

Nonetheless, if the reports are accurate, the Argentine at present seems to be doing little or nothing to restore its preeminent place in the European meat markets.

In the United States we have the potential to produce vast quantities of beef—to turn our grain surpluses into meat—to tailor this product to fit the appetites and desires of the British and European markets.

I do not feel that, at present, the administration may be doing enough to exploit these potentials on a long-term basis. Nor do I believe, from the reports one receives, that the Argentine Government seems to realize the extent to which it is rapidly losing its traditional European markets.

In fact, if these reports are accurate, the Argentine Government, rather than trying to help its meat industry, actually seems to be penalizing it by new export taxation and by other unrealistic measures. This seems strange when most nations go out of their way to subsidize and otherwise to help their major earners of foreign exchange.

Nonetheless, that is the problem of the Argentine. It may well become a problem of the U.S. Government, as well, when the foreign aid policy is reviewed. We may face a vicious cycle. For, when the Argentine cannot export meat and earn foreign exchange, ultimately it may mean more and more aid.

That, however, is not my thesis of the moment. Rather, I plan to recommend that the Congress hold a full-scale investigation into ways-and-means of expanding the United Kingdom and European markets for our American beef; that we consider practical and realistic means for helping the Department of Agriculture, the American Meat Institute, the American National Cattlemen's Association and all others interested in taking advantage of this opportunity on a truly long-range basis.

For, in view of the reports from the Argentine where, I am informed, virtually its entire beef export industry is paralyzed, some nation will move into that "vacuum" of meat markets in Europe. Why should not the United States, with our ample supplies and even more ample production potentials, do so?

I will welcome the views of my colleagues in this regard so that we might, together, move forward and expand beyond the somewhat limited efforts which the present administration, however laudable, already has undertaken.

I ask unanimous consent to have printed at this point in the RECORD an article entitled "Europe Buying More Beef," by L. H. Simerl, published in the State Journal-Register, of Springfield, Ill., August 15.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

EUROPE BUYING MORE BEEF

(By L. H. Simerl)

A couple of years ago our cattlemen became alarmed about the rapid increase in imports of meat. Since that time imports have been reduced sharply, and many stockmen have become interested in finding oversea markets for their own beef. They will doubtless be interested in some recent comments by E. E. Broadbent, professor of livestock marketing at the University of Illinois.

Broadbent recently returned to the campus after studying livestock marketing for several months in foreign countries. He reports that there is a growing shortage of beef in Western Europe. The shortage arises from greatly increased consumer demand for beef and from a shrinkage in the amounts supplied from former sources.

STRONGER DEMAND

Demand is increasing because of the high level of employment and rising wages. At the same time the formerly large flow of beef from South America to Europe has diminished.

Most countries in Western Europe have been enjoying nearly full employment and rising wages. Increases in buying power per person often exceed the rate in the United States, but population growth is slower.

West Germany is the major importer of beef in Western Europe. Shipments in the country during the first half of this year were equivalent to 407,000 head of cattle, 28 percent more than the year before. Most of this increase came from Australia and the United Kingdom.

Less beef from South America. Exports of beef from Argentina totaled about 147,000 tons during the first half of 1965, 28 percent less than last year. Exports from Uruguay were also lower. Most European observers do not expect any quick recovery in the flow of beef from South America to Europe.

Australia ships more. The Australians have greatly increased their shipments of beef to the West European markets. They have established meat market expediters in Europe. Their prime targets are restaurants, hotels, and institutional meat users.

New Zealand continues to ship a large proportion of her beef exports to Europe. The United Kingdom has become the third largest supplier of beef to West Germany.

European buyers want lean beef. Broadbent observes that most of the beef produced in U.S. feedlots is too highly finished to please European buyers. They want and use beef that is about like our typical standard and commercial grades. The best of their beef is similar to our Good grade.

Prices for these grades of beef recently were 2 to 4 cents a pound higher in the Common Market countries than in Chicago. This difference is not enough to pay transportation costs from our packing centers to the European markets.

Prices of our standard grade of cattle recently were around $22 a hundred pounds, 27 percent higher than a year before. This rise puts our beef in an even less favorable position to compete with other supply sources.

AMENDMENT OF THE NATIONAL FIREARMS ACT AND THE FEDERAL FIREARMS ACT—REFERRAL OF BILL

Mr. MAGNUSON. Mr. President, on March 22 of this year, the Senator from Connecticut [Mr. DODD] introduced two bills, S. 1591 and S. 1592, which respectively amended the National Firearms Act and the Federal Firearms Act. Although S. 1592 would normally have been referred to the Committee on Commerce it was, at Senator DODD's request, with unanimous consent of the Senate, referred to the Judiciary Committee. Subsequently, all other measures pending before the Commerce Committee relating to firearms were referred to the Judiciary Committee to enable the latter to fully examine and have the benefit of all avenues of approach concerning firearms control which were embodied in legislative proposals. Referral of these measures to the Judiciary Committee prior to their coming to the Commerce Committee was considered desirable for several reasons. It was felt that because issues of a constitutional nature were raised concerning these bills that the Senate should have the benefit of the recommendations of the Judiciary Committee. In addition, the Subcommittee on Juvenile Delinquency, to which these bills were referred by the Judiciary Committee, has conducted extensive investigations on the subject of the firearms problem. It has kept abreast of the problem since 1959 and commenced a full-scale investigation in 1961. As a result of its long and exhaustive study, it issued in the closing weeks of the last session an interim report. Referral of the present bills was also intended to enable the Juvenile Delinquency Subcommittee to finalize its recommendations—which the Commerce Committee now anxiously awaits.

On August 10, the House passed H.R. 9570, a bill to authorize the Secretary of the Treasury to relieve applicants from certain provisions of the Federal Firearms Act if he finds such relief would not be contrary to the public interest. The provisions of H.R. 9570 are similar, and identical in purpose, to section 6 of S. 1592. Since S. 1592, as well as all other measures affecting firearms, was referred to the Senate Judiciary Committee, it seems to me appropriate that H.R. 9570 should be similarly referred.

Mr. President, in light of the foregoing, I ask unanimous consent that H.R. 9570 be referred to the Judiciary Committee under the same terms and conditions as those which have previously been referred.

The conditions previously referred to are that if and when the Committee on the Judiciary came to some conclusion on the question, the bill or bills would be referred back to the Senate Committee on Commerce for a perusal by that committee. It may not be that the committee would need to look at the bills for a long time. Perhaps it would not wish to hold hearings or anything like that. The bill to which I have referred would be referred under the same agreement.

Mr. President, I ask unanimous consent that the bill H.R. 9570 be referred to the Judiciary Committee under the same terms and conditions as those which have previously been referred.

The PRESIDING OFFICER (Mr. RUSSELL of South Carolina in the chair). Is there objection?

Mr. ALLOTT. Mr. President, reserving the right to object—and I shall not object—many of us, as the distinguished Senator from Washington knows, have a vital interest in the proposed legislation. Since the distinguished chairman of the Committee on Commerce has explained the terms and conditions under which the bill will be referred to the Judiciary Committee, I have no objection. But I hope that the action will not be taken on merely a cursory level by the Commerce Committee. The bill is one of the most important pieces of proposed legislation pending before the Congress.

If S. 1592, to which the distinguished Senator from Washington referred, had been passed in its original form, the rights of the people of the United States to have firearms to protect themselves would be seriously impaired. So I am glad to have the Senator's assurance; and I shall, therefore, not object.

Mr. MAGNUSON. I thank the Senator from Colorado.

THIRTIETH ANNIVERSARY OF THE MOTOR CARRIER ACT

Mr. MAGNUSON. Mr. President, I salute the men of vision whose foresight 30 years ago today made the Motor Carrier Act a part of the law of the land.

This outstanding piece of legislation was endorsed by the American Railway Association, the American Trucking Association, the National Association of Motor Bus Operators, the Interstate Commerce Commission, and the National Association of Railroad and Utilities Commissioners.

The transportation industry was in dire straits in 1935. The report of the Senate Committee on Interstate and Foreign Commerce filed on April 11, 1935, found:

> Competition has been carried to an extreme which tends to undermine the financial stability of the carriers and jeopardizes the maintenance of transportation facilities and service appropriate to the needs of commerce and required in the public interest. The present chaotic transportation conditions are not satisfactory to investors, laborers, shippers, or the carriers themselves.

This legislation has proved to be a milestone in giving to this country an outstanding transportation network developed by private enterprise which has served the Nation well during time of war and the public during time of peace.

In 1935, at the time of the enactment of the Motor Carrier Act, the operating revenues of motor carriers of property was estimated to be about $500 million. Today, motor carrier revenues are in excess of $9 billion. In 1938, rail revenues were below $4 billion; today they are in excess of $10 billion.

I especially wish to salute those members of the Senate Interstate and Foreign Commerce Committee who are still active—Burton K. Wheeler, then chairman of the committee; President Harry S. Truman, who served as a member of the committee from 1935 to 1945; two members from my own State, C. C. Dill, who served on the committee from 1923 to 1935, and was its chairman during 1933 and 1934, and Homer T. Bone, my predecessor who served on the committee from 1935 to 1944; and a member from the other side of the aisle, Daniel O. Hastings, who served from 1930 to 1937. There are many, many others whose names I could mention who ably served on the committee during the deliberations on this legislation.

I also wish to salute those still active industry leaders who played an important roll in urging enactment of this law, Chester T. Moore, John Lawrence, Jack Keeshin, and Clint Reynolds from my own State. There are many others I would wish to single out if time permitted.

The committee has written to many of these able leaders and has received their thoughts and comments on this landmark legislation. There will soon be available to the Members of the Senate a brief collection of some of their remarks.

After 30 years of demonstrated durability, the Motor Carrier Act has proved to be an indispensable part of our national transportation regulatory system. In closing I would like to quote from a recent letter written by Ed Johnson, who ably served as committee chairman, and member of the committee for 18 years:

> I know of no single statute on our books that did quite so much for American transportation or business progress generally as did the Motor Carrier Act of 1935. I am happy that you are observing this anniversary. It is one of the red letter days of American progress.

THE FEDERAL CIGARETTE LABELING ACT

Mr. MAGNUSON. Mr. President, last Tuesday, President Johnson signed S. 559, the Federal Cigarette Labeling Act. It is now the law of the land. By January 1 of next year, under its terms, each and every cigarette package will bear in a conspicuous place the warning "Caution: Cigarette Smoking May Be Hazardous to Your Health."

This is a good time to take a look at what else this act does and, equally important, what it does not do.

A smoke screen of misinformation has shrouded this bill for the past several weeks. As a result, many of those who have long demanded strong cigarette labeling and advertising legislation have now, themselves, been labeled pawns of the tobacco lobbyists.

The distinguished Senator from Oregon [Mrs. NEUBERGER], perhaps the most outspoken and courageous advocate of strong cigarette control legislation, has been attacked on the pages of the New York Times because she refused to demand a Presidential veto of the cigarette bill.

Mr. Emerson Foote is chairman of the Interagency Council on Smoking and Health, representing the major voluntary health associations in the United States in their effort to secure strong and meaningful cigarette legislation. He had resigned as chairman of the board of the largest advertising agency in the United States because he objected to his firm's accepting cigarette advertising. He has since donated his time and his distinguished talents to the interagency council because he and members of the council, including the Cancer Society and the Heart Association, among others, have concluded that the Cigarette Labeling Act represents a significant step forward. Yet, he has been attacked not only for "bad judgment" but also for "bad faith."

The Cigarette Labeling Act is far from perfect legislation. It necessarily reflects a compromise of widely, even violently, divergent views both in the House and in the Senate. The labeling bill, in the form in which I introduced it, would have left the Federal Trade Commission free to implement its rule requiring warnings both in advertising and on the package. Many Senators and a large majority of the Members of the House believed that the Commission should never have this power.

As the bill finally emerged from the Senate-House conference, a compromise had been fashioned on this issue, in effect suspending the Commission's order for 3½ years from the effective date of the act.

Three and one-half years is not what we who sought strong legislation wanted—nor is it what those who sought mild legislation wanted.

In reaching the compromise on the FTC's cigarette rule, our committee took great pains to preserve the substance of the Federal Trade Commission's authority to regulate cigarette advertising. Both in the committee report and during the Senate debate, we made it clear that the Trade Commission would retain the power and the responsibility to restrict any advertising which "tends to negate the warning which must be placed on the package."

The Trade Commission, in implementing the new act, has now issued a strong statement acknowledging its continuing authority to police cigarette advertising. The FTC thereby served notice that it will proceed against any cigarette advertisements "which negate, contradict

or dilute the cautionary statement on the packages."

Those who criticized the President for signing the bill argued that in the absence of legislation, the Trade Commission rule would have taken immediate effect and that from this day forward every package and every advertisement would have carried a warning. The Washington Post complained that while all packages must now bear a warning by January 1, of next year, "the public, on the other hand, would doubtless have been more adequately warned much earlier had the Congress not acted."

But Chairman Paul Rand Dixon, of the Federal Trade Commission, testifying before the Commerce Committee, was asked how long it would take to enforce the Commission's rule. This was his answer:

Any member (cigarette company) that this rule would affect could pick any district court in the United States of America and start there to challenge the basic authority of the Commission to issue a trade regulation rule.

From there, the circuit court and Supreme Court. If approved, then we would still have to make the rule effective by a lawsuit. We would then have to sue a party that would say, "All right, now you have proved it, but that doesn't mean anything. I don't have to stop until I get the order."

So, then, we would have to start one case at a time, noticing the rule, perhaps, and speeding that procedure up. If we could do all of that in 4 years, it would be rather miraculous.

Mr. President, I fail to see how a 4-year lawsuit could warn the public of the hazards of smoking more adequately or much earlier than a warning on every package by next January 1.

The significance of the Federal Cigarette Labeling Act extends far beyond the imposition of the warning. In taking affirmative action, Congress has placed its stamp of approval upon the Surgeon General's verdict that "Cigarette smoking is a health hazard of sufficient importance in the United States to warrant appropriate remedial action."

The significance of this fact has not been lost on the advertising industry. An editorial in Advertising Age for May 31, 1965, cautioned the advertisers that the cigarette labeling bill represented a serious setback for them:

Of greater import for the long run than the question of FTC's jurisdiction is the portion of the report (Senate report) which represents committee acceptance of the findings of the U.S. Surgeon General. The warning on the package may or may not scare customers but the legislation involves a unique burden of its own. This is the first time that Congress has said, by legislation, that a product in such general use is so hazardous that it must carry a prescribed warning legend.

As the President signed the cigarette bill, the White House announced that the President had concluded "that the benefits of the bill far outweighed any deficiencies and disadvantages" and that the bill "makes a real contribution to the effort to bring to the attention of all smokers, and potential smokers" the data "indicating the health hazards involved in cigarette smoking."

This view is shared by the people most intimately and directly concerned with the health of the American people. A letter sent to me by Emerson Foote, as chairman of the Interagency Council, sets forth the views of the council and its constituent agencies in support of the legislation. They, as I, would have preferred legislation which did not suspend the Trade Commission's rule for 3½ years, but they concluded, as I have concluded and as the President concluded, that the Federal Cigarette Labeling Act represents a positive and an historic step forward.

I ask unanimous consent that the letter from Mr. Foote addressed to Representative Moss and the order of the Federal Trade Commission be printed at this point in the RECORD.

There being no objection, the letter and order were ordered to be printed in the RECORD, as follows:

NATIONAL INTERAGENCY COUNCIL ON SMOKING AND HEALTH,
Bethesda, Md., July 26, 1965.

Hon. JOHN E. MOSS,
House of Representatives,
Washington, D.C.

DEAR MR. MOSS: I am in receipt of your letter of July 21.

The decision of the National Interagency Council on Smoking and Health to support S. 559, as amended, was taken—unanimously—at a meeting of the board of directors of the council held in Washington on July 8.

On Wednesday, July 21, following your telephone call, a telegram from Representative BOLLING and a telephone call from Mr. Peter Edelman of Senator ROBERT F. KENNEDY's office, I took a poll by telephone of each member of the executive committee of the National Interagency Council. Fortunately, I was able to reach all members of the executive committee within 2 hours.

For your information, the members of the executive committee of the council and the organization they represent are:

Dr. Harold S. Diehl, vice chairman, National Interagency Council on Smoking and Health; senior vice president for research and medical affairs and deputy executive vice president, American Cancer Society.

Dr. Eugene H. Guthrie, secretary, National Interagency Council on Smoking and Health; Chief, Division of Chronic Diseases, U.S. Public Health Service.

Dr. George E. Wakerlin, medical director, American Heart Association.

Dr. James E. Perkins, managing director, National Tuberculosis Association.

Mrs. Katherine B. Oettinger, Chief, U.S. Children's Bureau.

Dr. William Ellena, associate secretary, the American Association of School Administrators.

I am also a member of the executive committee of the council.

The views expressed by yourself, Representative BOLLING and Senator KENNEDY were thoughtfully considered by each member of the executive committee. None felt that we should ask the President to veto S. 559; all feeling that a veto would prove a disservice to the great number of Americans who are presently suffering and dying from the effects of cigarette smoking.

We therefore unanimously concluded not to ask for a veto, holding to the position taken previously by the full board of directors of the council.

You state in your letter "every objective called for in your petition to the Congress would be achieved through veto."

I am devoting my full time to the fight against cigarettes and cigarette interests and I believe this statement of yours is totally in error. So do the officers and directors of the National Interagency Council on Smoking and Health.

I heard Mr. Paul Rand Dixon testify that he expected the application of FTC warnings in cigarette advertising would be delayed for 4 years in the courts.

We believe that S. 559 can be amended to include a warning in advertising, and otherwise strengthened, much before 4 years have elapsed.

In other words, after the most careful deliberation it was, and is, the opinion of the National Interagency Council on Smoking and Health, as we have frequently said, that some kind of a bill against cigarettes is better than no bill at all.

While in your letter you state that you doubt both our good faith and our judgment, we have no doubt of your good faith or your desire to reduce cigarette consumption. Therefore, we expect you to fight for the amendment of S. 559—to strengthen its power to reduce cigarette consumption—at the earliest practicable opportunity.

Sincerely,

EMERSON FOOTE,
Chairman.

VACATION OF WARNING REQUIREMENTS IN TRADE REGULATION RULE CONCERNING ADVERTISING AND LABELING OF CIGARETTES

On June 22, 1964, the Commission, pursuant to its statutory procedures, issued a trade regulation rule which required, in effect, that after January 1, 1965,[1] all packs and other containers in which cigarettes are sold to the public contain an affirmative warning that cigarette smoking is dangerous to health and may cause death from cancer and other diseases, and that after July 1, 1965, all cigarette advertising contain a like warning. On July 27, 1965, the Federal Cigarette Labeling and Advertising Act (hereinafter called the Labeling Act) was enacted into law. This act requires that, effective January 1, 1966, every package of cigarettes must display the following statement conspicuously and legibly: "Caution: Cigarette Smoking May Be Hazardous to Your Health." It also provides that (1) no different statement relating to smoking and health shall be required on any cigarette package, and (2) for a period terminating on July 1, 1969, no such statement shall be required in the advertising of any cigarettes the packages of which are labeled in conformity with the provisions of the act.

It is important to set forth in what respects the Labeling Act limits the Commission's authority in the field of cigarette advertising, and in what respects the Commission's existing powers and responsibilities in this area remain unimpaired.

Under the Labeling Act the Commission, for a period terminating July 1, 1969, may not require an affirmative statement relating to smoking and health in cigarette advertising. Congress has determined that any imposition of such a requirement should be delayed to permit the effectiveness of other remedies, including the cautionary statement on cigarette packages, to be evaluated.

The act, however, does not purport to question or overrule, and is consistent with, the basic factual findings and conclusions of the Commission contained in the statement of basis and purpose of the trade regulation rule. The Senate Committee on Commerce, after reviewing the principal findings of the Surgeon General's Advisory Committee on Smoking and Health, and noting that "no prominent medical or scientific body undertaking a systematic review of the evidence

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[1] On Sept. 3, 1964, the Commission amended the trade regulation rule to extend such effective date to July 1, 1965.

has reached conclusions opposed to those of the Surgeon General's Advisory Committee" (S. Rept. No. 195, 89th Cong., 1st sess., p. 3), concurred in the judgment of the Advisory Committee that "Cigarette smoking is a health hazard of sufficient importance in the United States to warrant appropriate remedial action." See also CONGRESSIONAL RECORD, July 6, 1965, page 15598 (remarks of Senator MAGNUSON, sponsor of the Senate bill). It also agreed that cigarette manufacturers are under a duty to the public to disclose the health hazards of cigarette smoking (S. Rept., p. 3): "[T]he committee is convinced that too many Americans, particularly teenagers, are unaware of the extent of the potential hazard in smoking and that these people will not be convinced until the Federal Government, upon which they have come to rely for cautionary labeling of hazardous substances, takes affirmative action which manifests its concern."

The report of the House Committee on Commerce states: "The determination of appropriate remedial action in this area, as recommended by the Surgeon General's Advisory Committee, is a responsibility which should be exercised by the Congress after considering all facets of the problem, it is desirable that the Federal Government—upon which persons have come to rely for cautionary labeling of hazardous substances—should take affirmative action which would manifest its concern; the individual has the right to know that smoking may be hazardous to his health" (H. Rept. No. 449, 89th Cong., 1st sess., p. 3).

Congress, in short, has not rejected the basic factual premises of the trade regulation rule; namely, that cigarette smoking is a health hazard of sufficient importance to warrant governmental remedial action, and that the public should be warned by manufacturers of the hazards to health involved in smoking cigarettes. Accordingly, enactment of the Labeling Act warrants no modification of the findings and conclusions underlying the trade regulation rule, which the Senate report (p. 4) describes as "an exhaustive examination of advertising, labeling, and other promotional practices of the cigarette industry."

The Labeling Act explicitly states that, except as otherwise specifically provided, the authority of the Commission with respect to unfair or deceptive acts or practices in the advertising of cigarettes is not affected. The act does not change the substantive legal standards under the Federal Trade Commission Act applicable to cigarette advertising; any cigarette advertisement that violates the standards of that act is unlawful, notwithstanding enactment of the Labeling Act. Congress has made clear that the Commission should continue to apply the established standards of present law to cigarette advertising, and prohibit any advertising found to violate the law. The chairman of the House Commerce Committee, Congressman HARRIS, in presenting the conference report to the House, stated: "We did not in any way intend to restrict the Federal Trade Commission in carrying out its duties and responsibilities under the Federal Trade Commission Act on false and deceptive advertising. * * * We do not intend by this report to change the present authority of the Federal Trade Commission in any way one way or the other. * * * If they have the authority to act today, they would have the authority to act under this legislation" (CONGRESSIONAL RECORD, page 16544, July 13, 1965). To the same effect, see CONGRESSIONAL RECORD, page 15597 (July 6, 1965, remarks of Senator MORTON).

Having found that a health statement on cigarette packages is required in order that "the public may be adequately informed that cigarette smoking may be hazardous to health" (sec. 2(1) of the act), Congress recognized that it would be inconsistent with the objectives of the act for a manufacturer to be permitted to make advertising claims, or conduct an advertising campaign, which negate, contradict, or dilute the effectiveness of the cautionary statement on the packages. The committee reports specifically enjoin the Commission to prohibit "any advertising which tends to negate the warning which must be placed on the package in accordance with" the act. Senate Report, page 6; see also House Report, page 5. Thus, any cigarette advertising which contains any representation, express or implied, that tends to undermine the warning placed on the package would be unfair and deceptive, and could be ordered to be stopped. During the period in which the Commission is prevented by the terms of the Labeling Act from requiring a health statement in cigarette advertising, it will continue to monitor current practices and methods of cigarette advertising and promotion, and take all appropriate action consistent with that act to prohibit cigarette advertising that violates the Federal Trade Commission Act.

Accordingly, without modifying the findings and conclusions underlying its trade regulation rule for the prevention of unfair or deceptive advertising or labeling of cigarettes in relation to the health hazards of smoking, issued June 22, 1964, the Commission hereby vacates the requirements in said rule that cigarette labeling and advertising contain an affirmative statement of the health hazards of cigarette smoking.

THE RISING CRIME RATE IN THE UNITED STATES

Mr. THURMOND. Mr. President, despite the fact that it is general knowledge that the rising crime rate in the United States is the Nation's No. 1 domestic problem, there appears to be all too little willingness in official circles to face up to the real causes of the problem.

It is not a matter of increasing population. The latest crime statistics show that the rate of serious crimes in the United States is increasing six times as fast as population growth.

The FBI statistics show that young people are responsible for a greatly disproportionate share of serious crimes. Young people were involved in 48 percent of the arrests for serious crimes last year. This is only a part of the story, however. Statistics also show that more than 95 percent of our young people do not become involved in crimes. The explanation of what might appear to be a conflict between these statistics lies in the fact that of all the persons arrested last year, 76 percent were repeaters. The rising crime rate is obviously due to the fact that those who are disposed to commit crimes, and do so, are being released by the courts back into the mainstream of society where they may and do continue to wreak a toll on the law-abiding and innocent members of society. The consequences of such crime phenomena are increasingly becoming obvious without requirement for prognostication. In Los Angeles and Chicago over the weekend, crime reached the level of outright insurrection.

There were undoubtedly a number of factors which contributed to the immediate outbreak in Los Angeles. Foremost, I believe, among the causes is the attitude and belief among Negroes that mass lawlessness by them will be tolerated and condoned. This attitude is fostered by the prevailing policy of the President and high officials of Government to protect, tolerate, and encourage lawbreaking mass demonstrations, particularly when they are committed in the South. Our Nation cannot condone deliberate mass defiance of laws in a particular section of the country without undermining respect for law throughout the country.

Another major contributing factor to the attitude which prompted the outbreak in Los Angeles is the innumerable court opinions and decisions which have created such barriers to criminal convictions that they have encouraged a belief that even if one is brought to the bar of justice, he can readily escape punishment through legal technicalities.

One cannot eliminate Communist agitation as another factor in the Los Angeles riots. The prompt appearance of organized leadership among the rioters, proliferation of fire bombs, commonly called molotov cocktails, and the now all too familiar professional sniper techniques employed by the insurrectionists are all significant in this connection.

Mr. President, it is somewhat encouraging that at least some of the causes which I have mentioned are gradually, although belatedly, being recognized and voiced in the news media. For instance, the lead editorial in the Evening Star of Saturday, August 14, entitled "Los Angeles Riots," included the following paragraphs:

> In short, the rule of law, to which so much lipservice is paid, seems to be breaking down in Los Angeles and throughout the land. This is something which might properly concern the President's new Commission on Crime. What are the real reasons? Slums? Discrimination? Underprivilege? These doubtless are part of the story. We suggest, however, that the Commission examine other possibilities. What is the effect on respect for law when prominent members of the clergy announce they will not obey a law if they disagree with it? What is the effect when the Supreme Court, as well as lower Federal courts, overturn convictions for law violations on the flimsiest of bases, or, as in one instance, for no stated reason? Does this sort of thing encourage the hoodlum type to think that respect for law is "for the birds"? We think so.
>
> At any rate, it has become clear in Los Angeles that the rioters will give way to nothing except superior force. And in that event the superior force must be applied—followed, one may hope, by severe punishment of those who may be found guilty of criminal activity.

Mr. President, I ask unanimous consent that the entirety of this editorial from the Evening Star be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit No. 1.)

Mr. THURMOND. Mr. President, one of the most scholarly, objective, and commonsense analyses of the crime problem appeared in the News & Courier of Charleston, S.C., on August 15, 1965. This article, entitled "Criminal Law Trends in the Emerging Welfare State," was written by W. L. Backus, a member of the bar of New York State. In this article, the author discusses both the

legal and practical effects of recent court decisions which have tied the hands of police and prosecutors, such as the Mallory rule; the tainted evidence rule, better know as the Poison Tree doctrine; the Gideon doctrine, which expands the right to counsel; the changes in the insanity defense from the McNaughton rule to the Durham rule; and the series of decisions which began with the Jencks case, giving criminal defendants access to the files of police and prosecutors. Particularly at this time when the District of Columbia crime bill is pending on the calendar, it would be well worthwhile for all Senators to have the benefit of this outstanding article. I ask unanimous consent that this article, entitled "Criminal Law Trends in the Emerging Welfare State," be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit No. 2.)

Mr. THURMOND. Mr. President, the courts have lost sight of the reason and purpose of criminal trials. In setting up a veritable legal thicket to protect persons accused of crimes, the Federal appellate courts apparently have forgotten that the purpose of the trial is to determine the guilt or innocence of the accused. In addition, many judges apparently ignore the fact that our criminal laws are enacted primarily for the protection of society rather than just for the protection of criminals.

Mr. President, if the Nation is to escape the ultimate fate of complete anarchy, there must be a return to commonsense in the high official positions of the National Government.

The law, and the entirety of the law, must be applied to all persons strictly, without regard to race. Negro citizens, and those in positions of influence who have been encouraging them to defy the law, must be shown that they are not exempted from obeying the law in any part of the country, whether they act individually or in mobs. It is also time to enforce the laws prohibiting incitement to riot.

The perversion of our judicial procedures to favor criminals and render society helpless must be rectified. The Congress has a responsibility to take whatever action is necessary to insure that judicial procedures are reinstated which protect society and to so discipline the Federal courts that they must exercise judicial restraint, or in other words, stop legislating.

Last, but not least, the Congress has a responsibility to investigate and make public the degrees of infiltration of the Communists into the civil rights and other movements engaged in direct action programs to subvert the social and political structure, as well as the foreign policy objectives of the Nation.

These, Mr. President, are the imperatives in meeting the Nation's No. 1 domestic problem.

EXHIBIT 1

[From the Evening Star, Aug. 14, 1965]

LOS ANGELES RIOTS

The most baffling aspect of the savage rioting and looting which has swept Los Angeles is the utter senselessness of the thing.

It started Wednesday evening when a white policeman tried to arrest a Negro motorist on suspicion of drunken driving. And it really took off from there.

At least 16 people are dead, including a deputy sheriff and a fireman caught by a falling wall. Property losses will run high into the millions. The Negro rioters would set fire to buildings, and then stone and shoot at firemen responding to the calls. Also stoned were ambulances trying to aid the injured. Police cars were special targets, many being wrecked or burned. Finally, when the police conceded they could not control the mobs, National Guardsmen were called in last night and for the moment, at least, an uneasy peace prevailed.

To try to put this thing into some kind of perspective, Los Angeles has a Negro population of about 250,000, or roughly 12 percent of the total. The largest number of rioters at any one time is not believed to have exceeded 7,000. Thus, the hoodlums have constituted a relatively small minority. And there is probably much truth in the comment of a housewife who said: "It's the rowdy teenagers all gassed up on airplane glue and gin who provoke the trouble." The news photos indicate this is true. So does a report to the New York Times which stated that the Watts area of Los Angeles, where the trouble started, is not at all typical of the Negro city ghetto. There are some pockets of extreme blight. But, according to the dispatch, most of the Negroes "live in neighborhoods that would represent a dream of suburban bliss to Harlem Negroes."

So one must look behind the conventional excuses offered when something of this sort happens. What are the real reasons which touched off what a Los Angeles Negro official called an "inexcusable outbreak?"

One certainly is a hatred of all police, white or black, but especially white. Another is total contempt for law and the rights of law-abiding people. This latter is not peculiar to Los Angeles. It crops out in many places, although generally in less severe form.

In short, the rule of law, to which so much lipservice is paid, seems to be breaking down in Los Angeles and throughout the land. This is something which might properly concern the President's new Commission on Crime. What are the real reasons? Slums? Discrimination? Underprivilege? These doubtless are part of the story. We suggest, however, that the Commission examine other possibilities. What is the effect on respect for law when prominent members of the clergy announce they will not obey a law if they disagree with it? What is the effect when the Supreme Court, as well as lower Federal courts, overturn convictions for law violations on the flimsiest of bases, or, as in one instance, for no stated reason? Does this sort of thing encourage the hoodlum type to think that respect for law is "for the birds"? We think so.

At any rate, it has become clear in Los Angeles that the rioters will give way to nothing except superior force. And in that event the superior force must be applied—followed, one may hope, by severe punishment of those who may be found guilty of criminal activity.

EXHIBIT 2

[From the News and Courier, Aug. 15, 1965]

CRIMINAL LAW TRENDS IN THE EMERGING WELFARE STATE

One may well ponder the question as to whether the decline of a great nation and the civilization it represents does not parallel in tempo its dwindling capacity for righteous indignation in the face of reprehensible conduct—criminal or otherwise—constituting an affront to its moral, ethical, and spiritual values. Or to put the question in different form, whether such nation has become so civilized, and has reached such point of toleration, equanimity, broad-mindedness, and understanding that it no longer possesses shock reaction, or its concomitant, the instinct quickly and forcefully to suppress and root out evil—and thus failing, to compromise the basic tenets of its existence.

The degenerative process may be said to fall into the following pattern: lack of indignation or shock reaction (from whatever cause produced) entails a measure of toleration of the evil (or challenge to its code). As the condition becomes more commonplace, the social stigma or opprobrium attaching thereto, normally an inhibiting factor, is diminished and diluted, giving way initially to what may be termed a form of coexistence, and leading eventually to acceptance of the prevailing condition, with a consequent lowering of community standards to the point of apathy, indifference, cynicism, selfishness, and callousness. The lowered standards dissipate any basis or justification for endeavoring to uphold the higher standards, and in the end, reduce the will or capacity to uphold or fight for anything. With the loss of that combative spirit, the foundation stones upon which the nation is laid are undermined, and the civilization as such is doomed. For if the nation itself has no interest in defending and preserving its ideals and heritage, a fortiori, no one else will. Thus, perhaps, are civilizations destroyed by decay and corruption from within. That this is not merely theory—Toynbee, the noted English historian, has recorded that of 21 civilizations in past history, no less than 19 have disintegrated from within. It is not to be assumed that Western civilization is impervious to this retrogressive process—certainly not without a definitive blueprint laid out for its survival.

A key factor in maintaining community standards, and the preservation of national ideals and moral values, has been considered to lie in the criminal law and its enforcement. For while laws as such do not necessarily build character, integrity, moral fiber, or create a sense of duty or responsibility, where none theretofore existed—the absence of law, or its lackadaisical observance or enforcement, in due course, would dissipate whatever did exist. Subversion of the criminal law, accordingly, would fall within the category of those items constituting the first order of business by those intent upon the destruction of a nation. This is not to say, however, that the current state of our system of criminal justice is due to subversive elements, inasmuch as it appears that the present drive to pull the teeth of the criminal law is spearheaded by sincere, well-meaning groups whose main objective, apparently, is to enlarge the sphere of justice, humanity and compassion—and to whom, it sometimes appears, the province of law is not to protect the community but to rescue and salvage, at whatever cost, those caught within its toils. In this pursuit, the focal point of interest, toward which all the energies of the community are to be directed, is the criminally accused, whose welfare above all, guilty or not, is the goal to be attained.

This softening-up process is being accomplished, not by frontal attack—that is, by overt change in the substantive law, but by the indirect and more palatable form of erecting procedural barriers, often in the name of the Constitution, whereby the most simple prosecution is beginning to resemble an insurmountable obstacle course.

The depths of the procedural thicket now prevailing in bringing a criminal to justice can only be gaged by a review of contemporary Federal decisions, particularly those arising in the District of Columbia, where this philosophy, apparently, has reached its full flowering. It is no undue exaggeration to suggest that the Nation's Capital has be-

come a defense counsel's dream world, and a prosecutor's nightmare.[1]

The campaign being waged against the established system of criminal justice is along the entire procedural front. Basically, it emerges into four broad categories: (1) Restrictions upon the police in the conduct of the investigative phase of law enforcement, buttressed by an expanding utilization of the "fruit of the poison tree" doctrine to suppress incriminating evidence "illegally" obtained; (2) affording wider access to prosecution files in order to give defendants a better idea of how much the police have on them in the way of a case; (3) expansion of the "right of counsel" and peripheral rights; (4) amplification of the insanity defense as a means of total exoneration.

The strictures upon the police now gaining ascendancy commence from the very moment of the commission of the offense. The police are being told, in effect, that the investigation must be conducted in such form and manner as not to inconvenience anybody if he does not wish to be inconvenienced. Inasmuch as criminal activity seldom is pursued openly, if avoidable, the only means for solution of many crimes is the interrogation of the citizenry, particularly elements thereof which, it might be anticipated, either participate in similar offenses or associate with those who do. From time immemorial, the police have been afforded reasonable latitude in the interrogation and the temporary detention of suspects. This practice, a sine qua non to effective police work, has not resulted, in any perceptible degree at least, into the spawning of a police state. Nevertheless, the cry is on that this practice must be eliminated as being unseemly in a democratic state. While this may be a stride in the direction of more liberty, the proponents of the change in procedure, although still demanding efficient police protection, have offered no alternative to this vital tool in criminal investigation. The end product of such a policy is not difficult to discern.

The search and seizure rules, as presently construed, have developed into another bonanza for criminal defendants. All will recognize, of course, that the police should not be permitted to break into and enter private property at will in a search for evidence, nor allowed to make arrests promiscuously. And as a matter of commonsense, in all cases, whether armed with a warrant or not, the endeavor should be at all times to pursue their tasks with a minimum of injury either to person or property.

With that said, however, there appears to be little justification for the measures now being undertaken in purported adherence to those principles.

The root of the problem lies in the so-called "fruit of the poison tree" doctrine, dubious at best, and legislated into existence initially by the Federal judiciary. One may state with assurance that this doctrine certainly has been poisonous to effective law enforcement. In effect, it denies to the Government the use of evidence emanating, directly or indirectly, from an illegal search or seizure, the theory being that this will discourage the police from acting improperly in criminal investigation. At first blush, the doctrine has a ring of plausibility inasmuch as one conjures up a scene of the police burglarizing the home of an unwary citizen. The fact is, however, that its most frequent application has to do with borderline cases entailing close combat between the police in their unceasing surveillance of the underworld, and criminal suspects, involving intricate questions of law and fact so confusing and perplexing as to baffle panels of judges sitting in lengthy deliberation in an endeavor to delineate between legality and illegality. To say that a mere police officer, sometimes acting upon split second timing, with perhaps his life at stake, is obligated to make the correct decision upon pain either of immunizing a dangerous criminal or permitting him to escape, is to divorce one's self totally from reality.

It is to be doubted that the suppression of evidence in such circumstances serves the purpose of the rule (to deter unlawful police activity), inasmuch as it is manifest that in such borderline cases, with the legal justification totally fluid, dependent upon later court determination—the police are obliged to act in any event, and let the chips fall where they may. In practical effect, therefore, the rule simply gives criminals an escape hatch, entirely undeserved, and likens law enforcement more to a game of chance, rather than to the exercise of reason.

Because of the rule, the judiciary has found it encumbent, in order to determine whether a prosecution may proceed, to draw lines of demarcation so tenuous, between legal and illegal police action, as to border upon the metaphysical, and in case after case, to substitute its judgment for that of the police as to the proper timing and circumstances befitting police intervention.[2] This not only has brought the law into disrepute, but since the rule affords an avenue of escape regardless of guilt, the concept of what constitutes sufficient probable cause in support of search and seizure is under continuing and microscopic scrutiny by zealous counsel who, invariably, find new types of injustice, lack of fair play, and ad infinitum, on the part of the police, requiring that the court further circumscribe the latter's area of maneuver. Beyond that, it has opened the door to an all-out assault to extend the poison-tree doctrine to every conceivable area wherein the Government, for one reason or another, may have proceeded faultily. The thesis here is that evidence gained during the course of faulty procedure is "tainted," and therefore, not to be utilized in any prosecution—this even though the avowed procedural deficiency has worked no prejudice against the accused, nor was a producing factor in the obtaining of the evidence.

The most notable example of this extension of the poison-tree doctrine is the so-called Mallory rule barring confessions obtained during a period of illegal detention (failure to take the accused "without unnecessary delay" before a magistrate, as provided by rule 5a of the Criminal Rules).[3] Although the rule calls for reasonable promptitude, Congress set up no penalty for alleged infractions thereof. Nevertheless, although the problem—if any were deemed to exist by reason of police failure of compliance—appeared to be a legislative one to be resolved solely, and in a manner thought fitting by Congress (which, conceivably, may have decided to enforce the rule by some less stringent measure, such as disciplinary action against the officer), the Federal judiciary itself undertook to supply the legislative gap. Firstly, by stringent interpretation of the term "without unnecessary delay," it tightened up to the vanishing point the period of time available to the police for interrogation of the suspect—and thence, decreed that all confessions and statements obtained thereafter were to be barred. Such judicial action, regardless of the worthiness of the ends sought, would hardly seem to conform with principles of democratic government, whereby laws are to be promulgated pursuant to the will of the people, as expressed through their elected representatives.

The results flowing from the Mallory doctrine have been less than salutary in their impact upon efficient and beneficial law enforcement not only because of individual prosecutions lost or abandoned, but in the pervasive disruption of time-honored police procedures (reasonable opportunity to interrogate) for the solution and successful prosecution of crimes.

The suspicion that the Mallory rule is not an isolated principle confined to rule 5a, but the possible forerunner to the eventual barring of all confessions, voluntary or otherwise, may be noted from later developments suggestive of a mounting judicial attitude that confessions, per se, are intrinsically untrustworthy, and in any event that it is somehow unsporting or taking advantage to permit, encourage or induce an accused in any circumstance to furnish evidence against himself. Thus, following the Mallory case, a voluntary confession (or admission) was deemed inadmissible despite the fact that all the admonitions of rule 5a had been pursued faithfully.[4] The plea, successfully advanced, was that the confession had been made outside the presence, and without the knowledge of defense counsel, and hence, defendant had been denied the right of counsel. Obviously, however, since the accused had not been prevented, prior to making the incriminating statements, from consulting with his attorney, and in fact, was not required to speak at all, he had not been denied anything along this line. If the grievance was that it was unfair to discuss the case with defendant outside the presence of counsel—an entirely separate matter—in the absence of an act of Congress on the subject, no illegality would appear to have been involved, constitutional or otherwise. If this theory of right of counsel is followed through, it may well be that the Court is leading up to a ruling that such right develops from the very moment a criminal accused has his first contact with the police, although plainly, the right "to have the assistance of counsel for his defense," as provided in the 6th amendment, along with the right to a speedy and public trial, an impartial jury, to be informed of the nature and cause of the accusation, to be confronted with the witnesses against him, and to have compulsory process for obtaining witnesses in his favor—have reference to formal trial procedures, not to the activities of the police in the first instance in ascertaining those putatively responsible for commission of the offense.

The tainted evidence rule is applied also (again without specific legislative sanction)

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[1] The prosecution dilemma in the District of Columbia may be pointed up, perhaps, by reference to a single crime statistic, that of homicide. With a homicide rate of prime rank among American cities, one would be hard put (without entering into the controversy regarding the merits of capital punishment) to recall the last time a D.C. murderer paid the supreme penalty. How this is managed in the face of the plain provisions of the law may be explainable, undoubtedly, in a variety of ways, depending upon the individual viewpoint. It cannot be gainsaid, however, upon examination of the history of some of those prosecutions through the courts, that the procedural thicket that has now been interposed must be accorded a fair share of the credit.

[2] See, e.g., *Miller* v. *U.S.*, 357 U.S. 301 (1958); *Accarino* v. *U.S.*, 179 F. 2d 456 (1949); *Wong Sun* v. *U.S.*, 371 U.S. 471 (1963); *Work* v. *U.S.*, 243 F. 2d 660 (1957); *Jones* v. *U.S.*, 362 U.S. 257 (1960); *Hair* v. *U.S.*, 289 F. 2d 894 (1961); *Rios* v. *U.S.*, 364 U.S. 253 (1960); *White* v. *U.S.*, 271 F. 2d 829 (1959); *Williams* v. *U.S.*, 170 A. 2d 233 (1961); *Bynum* v. *U.S.*, 262 F. 2d 465 (1958); *Whitley* v. *U.S.*, 237 F. 2d 787 (1956); *U.S.* v. *Meachum*, 197 F. Supp. 803 (1961); *U.S.* v. *Mitchell*, 179 F. Supp. 638.

[3] *Mallory* v. *U.S.*, 354 U.S. 449 (1957). See also *Wong Sun* v. *U.S.*, 371 U.S. 471 (1963).

[4] *Massiah* v. *U.S.* 84 Sup. Ct. 1199 (1964). See also *Spano* v. *N.Y.*, 360 U.S. 315 (1959); *Escobedo* v. *Illinois*, 378 U.S. 478 (1963); *Rogers* v. *Richmond*, 365 U.S. 534 (1961); *Rochin* v. *California*, 342 U.S. 165; *Killough* v. *U.S.*, 336 F. 2d 929 (1964); *Killough* v. *U.S.*, 315 F. 2d 241 (1962).

in circumstances where the police allegedly fail to identify themselves, or to state their purpose sufficiently, in the course of enforcing a search or arrest warrant. The courts hold that such failure renders their subsequent presence upon the premises unlawful, with the consequence that evidence obtained or arrests made at such time are illegal and null and void for prosecution purposes.[5]

While the object of the requirement is to minimize friction between the police and the public by giving the citizen opportunity of peaceful compliance with lawful process, it is difficult to understand why the police failure to intone precisely the necessary verbiage or perform the prescribed ritual should result in exoneration of the criminal (by suppression of vital evidence), any more so that when police use unnecessary force in making an arrest. The proper course, it would seem, would be disciplinary or other action against the officer, not the penalizing of the State or the frustration of the public interest. And again, because many of these cases involve borderline situations which may fall within recognized exceptions to the rule, and wherein the legal justification must be reserved for later judicial determination, the police have no choice but to act—hardly a tenable basis for the invocation of so harsh a penalty.[6]

The steady erosion of the police position is pointed up by what is taking place in an area in which, in the past, police activity has never been questioned. Thus, a search of the premises with the consent of the occupant has never been considered offensive to constitutional principles. Nevertheless, an emerging pattern of cases now holds that access by consent may not be proper because, assertedly, the individual in such circumstances does not truly consent but actually is yielding to the superior authority of the police—in short, that he has been coerced.[7] Presumably, if that concept is pursued to its inevitable conclusion, the police ultimately will be required to give such person advance notice of their intentions so that he may consult with his attorney. Once again, while Congress in its discretion may see fit to adopt such a policy, it has not done so. In the absence of legislative action, it would not appear to be within the province of the judiciary to impose such strictures, no matter how commendable the objective. The 4th amendment to the Constitution has no relevance since it deals with the use of physical force and duress (or stealth), not the exercise of moral force or superior will.

In 1960, the Supreme Court extended the poison-tree doctrine, theretofore confined solely to Federal prosecutions, to state criminal cases as well, citing the 4th amendment to the Constitution, which it was held was made applicable to the States by the 14th amendment.[8] In appraisal of this decision, it may be stated at the outset that the theory advanced in support of the proposition that the 14th amendment has such expansive effect is less than persuasive. The point will be discussed in later paragraphs. Adverting for the present to the 14th amendment itself, it is to be seen that while it prohibits unreasonable searches and seizures, it makes no provision for any remedies, penalties or relief of any nature, for infraction thereof. Upon that basis, the 14th amendment is not self-executing, but has been left to the discretion of Congress (not the courts) to lend it bone and sinew—and rightly so, inasmuch as the greater flexibility inherent in legislative procedures, as distinguished from judicial, permits through experimentation, and trial and error, the forging of the most appropriate remedy to meet particular needs or situations as they develop.

In the exercise of its authority, Congress would be under no constitutional obligation to adopt the exclusionary rule or for that matter any other particular device for implementing the 4th amendment. It is free to do as it pleases in that regard. In other words, the exclusionary rule, as such, is not part and parcel of the 4th amendment so as to make it a matter of constitutional necessity and at least until the Mapp decision has been considered merely a policy matter adopted by the judiciary in the exercise of its general supervisory powers in the conduct of Federal criminal trials, subject at all times, however, to revision or elimination by Congress.

The court in the Mapp decision, accordingly, in raising the status of the rule to one of constitutional mandate, not only has stripped Congress of its formerly unquestioned and presumed clear-cut authority in matters of Federal jurisdiction to develop alternative measures in lieu of the exclusionary rule, but has imposed a similar proscription upon all the courts in each of the 50 States—undeniably not a perfunctory shift in the balance of power when it is realized that any further effort to mitigate the mischief of the poison-tree doctrine demands nothing less than a constitutional amendment.[9]

In 1963, the Supreme Court held that the several States are obliged under the sixth amendment to the Constitution to provide counsel for indigent defendants.[10] The amendment referred to, it is to be noted, purports to apply strictly to the Federal Government, and not to the States. The Court surmounted this impasse by asserting that the due process clause of the 14th amendment made by the 6th amendment applicable to the States, although there is nothing in the text to so indicate. One would assume that if such had been the intention of the framers of the amendment, the inclusion of the necessary additional verbiage would have presented no problem. Apart from that, and since this seems to be the age when all constitutional principles, no matter how long standing, are subject to reexamination, the due process clause in and of itself would appear open to some question. On the face of it at least, it makes no grant of substantive power to the Federal Government for overall, catchall supervision of every conceivable State action, such as that clause has been and is being construed by the Federal judiciary, but purports merely to require the States in their dealings with the citizenry to utilize established procedures and legal machinery (such as it is) in contrast with what might be termed "lynch law." Under such interpretation—clearly conformable to the text of the clause—the Federal Government would have no authority to dictate concerning the type, form, or quality of the legal machinery adopted by a particular State—the latter alone being free, subject to other possible constitutional provisions, to fashion the kind of procedures it

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[5] *Miller* v. *U.S.*, 357 U.S. 301 (1958); *Accarino* v. *U.S.*, 179 F. 2d 456 (1949); *Wong Sun* v. *U.S.*, 371 U.S. 471 (1963); *McKnight* v. *U.S.*, 183 F. 2d 977 (1950); *Gatewood* v. *U.S.*, 209 F. 2d 789 (1953); *Keningham* v. *U.S.*, 287 F. 2d 126 (1960).

[6] The argument has been advanced that alternative measures to deter the police, such as civil damage suits, departmental discipline, and others, have proven inadequate to cope with the problem, hence the need for the grave penalty of excluding all evidence derived from illegal searches or seizures. This contention overlooks the fact that innocent persons involved in such matters and against whom no case, therefore, will be brought, are still, according to this reasoning, without a remedy. That leaves as the sole beneficiaries of the exclusion rule the guilty—this despite the fact that the fundamental purpose of the 4th amendment was not to provide sanctuary for criminals, but to protect law-abiding citizens from police harassment.

But it is stated further that if the police are denied the fruits of an illegal search, the innocent as well as the guilty will benefit because of diminished police activity which surely would follow. Lessened police activity would mean fewer searches and thus, less likelihood of either guilty or innocent being subjected to invasion. This once again fails to take into account, as pointed out above, that in the tight situations in which such incidents generally occur, the police will be forced to act in any event, and consequently, in those circumstances certainly, with or without the rule, no material change would appear forthcoming.

It may be noted further that the claimed protective mantle afforded the public by the exclusionary rule, without which, allegedly, police despotism would reign, is belied sufficiently by the historical fact that large numbers of the States—many in the forefront in the cause of civil liberties—have operated since the early days of the Republic without the use of the exclusionary rule, all without ill effect or noticeable loss of essential freedom.

[7] *Judd* v. *U.S.*, 109 F. 2d 649; *Hall* v. *Warden, Md. Penitentiary*, 313 F. 2d 483 (1963); *Williams* v. *U.S.*, 263 F. 2d 487 (1959); *Higgins* v. *U.S.*, 209 F. 2d 219; *U.S.* v. *Evans*, 194 F. Supp. 90 (1961); *U.S.* v. *Roberts*, 179 F. Supp. 478 (1959); *U.S.* v. *Minor*, 117 F. Supp. 697; *Nelson* v. *U.S.*, 208 F. 2d 505; *U.S.* v. *Wallace*, 160 F. Supp. 859.

[8] *Mapp* v. *Ohio*, 367 U.S. 643 (1960).

[9] It is true, of course, that with Congress, the courts and the executive branch amending the Constitution freely, particularly in the field of Federal-State relationships and in that pertaining to the balance of power within the Central Government itself (the executive branch, for instance, seems largely to have absorbed the war-making authority without benefit of amendment)—the formal amendment process may be virtually obsolete, although the fiction persists that no more is being done than the interpretation of existing provisions.

In the light of such trends, in future power struggles between Congress and the Court, to take an illustration, the former may tend to rely more and more upon simple legislation to undo or forestall Court action, either by circumscribing the Court's appellate jurisdiction (as already provided in the Constitution), or prohibiting the use of Federal funds to hear particular cases or enforce Court decrees. This seems necessarily so because in the context of the philosophy of Government now emerging, it is doubtful that Congress long will be willing to accept the proposition that what the Court evolves by simple decision Congress can undo only by recourse to the laborious and torturous mode of formal amendment. Further, with the one-man, one-vote policy in force as a result of reapportionment, and the ultimate reduction of the solid-white South following amplification and the assertion of Negro voting rights in that region—the lines of demarcation between the legislative and executive branches of the Government will tend to become somewhat obscure; and not improbably, a de facto blending of those two branches will eventuate, with the executive branch the likely dominant force.

The deterioration of the "rule of law," as thus exhibited—an evolutionary process, perhaps, inherent in any system subject to intimate human ministration—in a nation universally acclaimed as the foremost exponent of that doctrine does not lend encouragement to the belief that the written law alone, no matter how solemnly ordained, nationally or internationally, can ever be relied upon as a sturdy bulwark against tyranny or oppression.

[10] *Gideon* v. *Wainwright*, 372 U.S. 335 (1963).

deems suitable for its purposes, whether they be considered harsh, rudimentary, unsophisticated, inefficient, rough-hewn, or ill-adapted to the desired objective.

But setting aside the question of what appears to be usurpation compounded, and conceding arguendo, the validity of the Federal position as to the force and applicability of the 14th amendment in reference to the 6th amendment—it is patent that the exclusive function of the 6th amendment is to afford an accused the opportunity of representation by counsel if he chooses. The State cannot deny him the privilege of such representation. There is nothing in the amendment, however, placing upon a State the affirmative duty or responsibility of providing or paying for such counsel. In the absence of such requirement, and consonant with the principle that every man, inherently, is responsible for his own needs, whatever they may be, it is up to the accused to take the necessary steps in that direction. This is not to say that as a matter of simple justice an indigent defendant should be set adrift and abandoned. It is merely being pointed out that the problem lies wholly within the jurisdiction of the States, which in the exercise of their sovereign authority alone are empowered to deal with such matters.

Looking beyond the superficial aspects of the Gideon doctrine, which undeniably have definite emotional appeal, and examining the realities of what has occurred—the principle now established, presaging a profound change in our legal system, is that the State, as part of, and in order to discharge its duty of guaranteeing an accused a fair trial, has an affirmative responsibility for looking after his needs in the preparation, development and presentation of his defense—in this case, it had reference to his need for an attorney. However, it should not and cannot stop there, since a defendant in most instances has need for more than just a lawyer in order to obtain a fair trial. He clearly can use a trained investigative staff, technical experts, and where appropriate, competent psychiatric assistance—and if necessary, in depth. Carrying the matter a step further, and fully commensurate with the newly imposed State duty to provide criminal defendants with the wherewithal to conduct an effective defense and thus to be insured of a fair trial, defendants with merely modest means, as well as the indigent, often would require the services above mentioned, but also would be lacking the necessary funds. Presumably, the State in all fairness and logic should be compelled to subsidize defendants in this category and make up the difference in the sums required.

Beyond that, it might be argued with equal force and cogency that a State's duty to provide a fair trial carries with it under our national policy of equality for all and "equal protection under the law" the right and opportunity of one man to have as good a trial and skillful a defense as the next one—in brief, an impoverished defendant is entitled not just to any jailhouse lawyer who happens to be available, but to the cream of the criminal bar, and thereby to be placed upon an equal footing with a wealthy defendant, his lack of funds notwithstanding. This would extend also to investigative staffs and technical personnel which should be upon the same full-blown scale as is available routinely to the wealthy. Otherwise, in practical effect, there would be two systems of justice in force countenanced by the State, one for the rich and the other for the poor. How the average community would fare in its endeavor to meet the financial burden implicit in the ruling is beyond immediate comprehension. Additionally, one cannot be optimistic that defense counsel in the zeal of protecting their clients' interests will be above taking advantage of the situation, i.e., by making incessant but not illogical demands for expensive services, and otherwise whipsawing local communities into being "more reasonable" in the pressing of the prosecution.

In end result, in converting into the straitjacket of an absolute constitutional right—and conversely, making into an obligation of the State—what always has been regarded as a privilege to be meted out by legislatures in the exercise of their sound discretion—a Pandora's box has been opened, the full portents of which cannot readily be gaged. A beachhead has been established, which if past experience in other areas of criminal law is an criterion, will be exploited relentlessly. The final solution may be the absorption of the legal profession by the Government.

More recently, in *Griffin* v. *California*, 380 U.S. 609 (1965), the Supreme Court set aside a murder conviction because the judge and the prosecutor, as was permissible under State law, made adverse comment to the jury upon the defendant's failure to testify in his own defense. The Court held that the fifth amendment's guarantee against self-incrimination precluded such comment. Once again, despite the total irrelevance of the 5th amendment to the actions and operations of the several States—the amendment being wholly a limitation upon the powers of the Federal Government—the Court, as it has done previously with respect to 1st (school prayer cases and others), 4th, 6th, and 8th amendments, brought into play the 14th amendment, which it declared made applicable to the States the 5th amendment, although one will look in vain throughout the length and breadth of that amendment (the 14th) for the slightest intimation or suggestion of such a proposition.

But passing by that objection, and turning to the fifth amendment and the pertinent language thereof, it is seen that it provides merely that no person "shall be compelled in any criminal case to be a witness against himself." The Court now says that this right to remain silent carries with it by necessary implication the companion right of insulation against adverse comment—otherwise, it is insisted, such passing comment subtract from the right and make it less meaningful.

The Court, in assuming this stance, has ignored the limited purpose and function of the fifth amendment, which was simply to bar the State from exerting force (physical compulsion) in order to elicit a defendant's testimony. The language does not go beyond that, and hence, upon that basis certainly, the amendment does not relieve a defendant from accountability for his own actions in connection with the conduct of his defense. Thus, it remains the responsibility of the defendant if he wishes to persuade others in his behalf, of coming forward of his own volition to give his version of the matter upon which he is being tried. On the other hand, if he deigns to maintain a posture of discreet silence, and declines the opportunity proffered him of proclaiming his innocence (if he is innocent) from the witness stand, he must be prepared to accept the incidental consequences, including adverse commentary, which such inconsistent position (inconsistent with innocence) would portend.

The action of the Court here would be entitled to greater validity if the immunity conferred were a positive right standing upon its own merits, rather than merely a restraint upon the hand of the State, for certain practical reasons, in dealing with its criminal accused—not an insignificant distinction. Specifically, the amendment was adopted not because there is something virtuous about remaining silent which must be upheld by whatever means, even to the extent of introducing ancillary rights by necessary implication; nor was it conceived for the benefit of individual defendants in order to protect them in their private counsels which were to be deemed sacrosanct, or because there is something wrong, per se, in having a defendant confess to his malefactions. If such were so, then supplementary measures by way of "interpretation" to bolster the right or to combat undermining influences might not be entirely out of order. In point of historical fact, however, the object of the rule was to eliminate abuses which develop invariably when compulsory inquisition by the State is tolerated—not, to reiterate, to repudiate the essential motion that the criminal accused constitutes and remains a primary source of information concerning all aspects of the case.

In light of the foregoing considerations, it would appear to be more than stretching a point even if the Court were to limit its present construction of the rule strictly to the Federal Government. But to foist this doctrine upon the States by virtue of the proclaimed pertinency of the 14th amendment seems totally without tenable basis. For granting that the due process clause of the 14th amendment has the all-encompassing effect that its adherents claim, viz, that the Federal Government, through the Supreme Court has the power to intervene in State affairs where the action of the latter allegedly is so lacking in elementary fairness and reasonableness as to affront fundamental principles of justice and democracy—it nevertheless would have no application in the instant circumstances. For how could it be said that there has been such an abandonment of basic principles by the State where it appears, as here, that the constitutional provision in question is, at the very least, capable equally of either of the two constructions propounded? Thus, so casually and promiscuously are the supposed Gibraltar-like precepts of our fundamental law extinguished without a trace.

The drive to gain criminal defendants greater so-called discovery rights by providing access to the Government's innermost files is gathering momentum. The Jencks case, as an illustration, held that the statements of police informants must be handed over to the defense if the informant appears as a prosecution witness.[11]

The rationale advanced in support of expansive, one-sided discovery (that is, against the Government, not the defendant) is that the defendant, in knowing more precisely the type of evidence the prosecution has in store for him, will be enabled better to establish the falsity of such evidence, and thereby prove his innocence. This takes for granted, unqualifiedly, that the defendant is truly innocent. However, to lay the foundation for discovery or criminal investigatory procedures upon any such hypothesis is woefully unrealistic. The fact must be faced that in actual practice the defendant, more likely than not, has not been wrongfully accused. Accordingly, the procedures to be adopted must be made to accommodate that factor. A guilty defendant, admittedly, is highly desirous of knowing specifically what the police have on him in support of the case, both in the way of evidence and witnesses. If he manages to obtain that information, he will know whether to plead guilty or to fight the charges. If he decides to contest, he will be able by careful preparation to so tailor his defense as to neutralize to the fullest extent possible the charges against him. There is also, apart from possible evidence fabrication, the danger of exposing prospective prosecution witnesses to the machinations of desperate criminals.[12]

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[11] *Jencks* v. *U.S.*, 353 U.S. 657.

[12] One can only speculate as to what extent open-discovery procedures resulting in pretrial exposure of prosecution witnesses and informants have contributed to the current noninvolvement philosophy of many citizens who are eyewitnesses to violent crime, and

The claimed benefits to the innocent defendant, to whose needs the open-discovery doctrine ostensibly is geared, are more fanciful than real. He already, above all others, is in full possession of the facts insofar as his personal involvement is concerned. The evidence wrongfully or erroneously implicating him in the crime will be exposed fully during the course of the prosecution's case, at which time he will be in the position of establishing discrepancies therein. While there will be occasion where advance knowledge of various aspects of the prosecution's case may be of substantial aid to the defense—it is questionable whether in the large majority of cases, the innocent defendant is any better off through pretrial discovery than he would be if he waited until the prosecution has concluded its case.

Thus, whatever may be the supposed advantage to the innocent accused through a policy of full scale pretrial discovery, it cannot be doubted that from the standpoint of the general run of criminal cases, such benefit is far outweighed by the serious prejudice to the public interest, and the cause of justice, flowing from unstinting exposure of the prosecution's case to the guilty defendant.

Upon the adoption of openhanded discovery, as is now being espoused, the day will come when the criminal trial, rather than being a mechanism for ascertainment of the truth, will devolve into a test of ingenuity in the art of maneuver and deception—an ingenuity fostered by a foreknowledge or preview of the Government's case.

Perhaps the most deadly menace to the fabric and substance of the criminal law has been the current developments in the law of insanity as it pertains to criminal defense. The Durham rule, adopted in the District of Columbia, again through the medium of judicial edict rather than by congressional enactment, a defendant is deemed not criminally responsible if he was suffering from a mental disease or defect at the time of the crime and the crime was a product of this disease or defect.[13]

That decision has opened up vast possibilities for exploitation of the underlying thesis that, basically, no human being is a criminal, or to be held responsible as such, but is simply the victim of factors essentially beyond his control, such as environment, heredity, upbringing, adverse conditions, and other like circumstances—all of which tend to negate the concept of free will. Lacking free will to avoid antisocial conduct, it would be barbarous to inflict punishment upon him for his failure to do so.

There is little doubt that there is hardly a criminal alive for whom a fairly respectable case of insanity could not be made out to justify or explain his antisocial behavior. And it may well be that the answer is not prison or punishment but treatment. Nevertheless, no matter how the problem is to be dealt with, the inescapable fact remains that for the well-being and safeguarding of the community, those engaging in such activity, regardless of question of personal fault, must be removed from the mainstream of society in the same manner that one afflicted with a contagious disease is quarantined, or a defective vehicle barred from the highways.

The difficulty with the Durham decision, and its implications, is that in attacking the concept of criminality in persons disturbed, and barring prison terms for such individuals, the judiciary ignored completely the reverse side of the coin, and undeniably, its most significant facet—an alternative protection for society from the depredations of such persons. Mental institutions, as now constituted, offer no solution. In sum, the courts handled in piecemeal fashion a matter which required treatment as a whole—a circumstance which tends to underscore, if for no other reason, the wisdom of developing remedies for social ills by legislative means rather than through the bombshell approach of judicial bodies.

In conclusion, the growing paternalism now evident in the field of criminal law (State as well as Federal because of the accelerating trend to apply Federal principles to the States by constitutional interpretation and reinterpretation), that is to say, the negation of fault upon the part of the individual, and acceptance by the State of collective responsibility for untoward or antisocial behavior—and with such acceptance, the insistence by the State for the taking of total, mass or collective measures for alleviation of the problems arising (such as broad social programs designed to combat delinquency, poverty, ignorance, slums, unemployment, discrimination, and their logical sequiturs, those concerned with annual wage and income guarantees, effectuation of a more even distribution of the wealth, and the eradication of rank and special privilege)—fit squarely within the framework of the welfare-state concept which appears to be evolving in all corners of the world, wherein all facets of life seemingly will be directed by and under the aegis of a centralized authority.

Needless to say, with criminality increasingly becoming more or less a social and medical problem, and the malefactor treated or considered as a hospital or mental case—our constitutional safeguards such as indictment by a grand jury, jury trial, habeas corpus and other familiar criminal-law procedures aimed toward protection of the individual from the danger of State despotism—ostensibly will become obsolete from reduced to the status of anachronisms belonging to a darker age. For if the essential issue presented is no longer to be one of criminality, but at most the type of medical or psychiatric treatment needed to cure the patient, a jury trial, and other such procedures, would have no place or relevance. More importantly, perhaps, sentencing would no longer be for a fixed or determinable period of time, but for such duration as may be deemed necessary to effectuate a cure.

If the American people are desirous of moving into a big-brother type of criminal justice, they are, unquestionably, free to do so. Nevertheless, in view of the subtle approach being utilized to accomplish these ends—by the use of the judiciary rather than through open legislation, and by the oblique process of nullification of the criminal laws by procedural roadblocks—it is doubtful whether the citizenry is even dimly conscious of the climactic changes now in the offing. In that respect, regardless of the essential merits or demerits of the program, the mode of implementation hardly comports with the cherished principles upon which this Republic was founded, much less with our vaunted world leadership in the struggle against totalitarianism.

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who decline to so much as identify themselves to the police. Certainly, the knowledge that their names may be handed over beforehand to hoodlum elements—an action which for practical purposes would tend to shift the onerous burden for successful prosecution from the Government to the shoulders of the hapless citizen, since the defendants thereupon would regard the latter as their most accessible and vulnerable road to freedom—is not an inviting prospect for anyone. The further common belief, not without foundation, that because of flabby criminal-enforcement procedures all will come to naught anyway is not particularly conducive toward encouraging even the hardiest of souls to accept the role of good citizen.

[13] *Durham* v. *U.S.*, 214 F. 2d 862 (1954).

IN THE PUBLIC DOMAIN—EXPRESSION OF APPROVAL OF POLICY OF U.S. COMMISSIONER OF EDUCATION

Mr. MORSE. Mr. President, I wish to call the attention of this body to an editorial in the Washington Post of Sunday, August 8, 1965 entitled "In the Public Domain." The editorial expresses approval of the policy announced in the Federal Register on July 28, by the U.S. Commissioner of Education, the Honorable Francis Keppel, that "material produced as a result of any research activities undertaken with financial assistance" from the U.S. Office of Education would henceforth be in the public domain. Commissioner Keppel, subsequently, said that the new policy would:

Prevent development of private monopolies;

Leave to the judgment of the market policy the use and the variation of use of research materials (thus minimizing) Federal control; and

Cut down the chances of conflicts of interest and foster creativity.

In my judgment, this is a minimum statement of the benefits that flow from the adoption of this policy.

Mr. President, for as long as I have been in the Senate, I have been fighting for the principle that property paid for by the public should not be disposed of without the payment of fair compensation. The new education office policy is consistent with this principle, in that the results of public financed research will be available throughout the land, and to all of the inhabitants thereof, rather than the preserve of a limited number of persons or institutions.

The $100,000 spent by the Office of Education on research is a small proportion of the $15 billion total that the U.S. Government expends each year on research and development, and the creation of new materials, ideas, inventions, and processes. However, it is an important area. It affects the quality of the education in every schoolhouse in the country. It also illustrates the great usefulness of the public property arising out of taxpayer financed public research. Particularly as to copyright material, which the law allows to be held private for 56 years—title 17, United States Code, section 24—the public domain policy speeds access to and use of the property created. The same philosophy is also applicable to patents, where the public has paid for property that might be retained in private ownership for 17 years.

It is predictable, I suppose, that the two or three dozen largest corporations and institutions, which yearly receive the bulk of public R. & D. money, would make efforts to gain the exclusive rights to this property. They employ public relations men, legal and administrative counsel and other Washington representatives, who possess considerable ability and experience, to advance these interests. This gives this select group of institutions organization, publicity, and political power that the real owners of public R. & D. property—the people of

the United States—cannot bring to bear when copyright and patent issues come up for decision.

During the course of deliberation on the higher education bill before the Senate Subcommittee on Education this year, copyright questions were among the most serious we considered. At that time, the Senator from Louisiana [Mr. LONG] delivered most helpful testimony, in which he traced the basic issue back to the distinction between the Jeffersonian Democrats and the Federalist Party of Alexander Hamilton. This issue is simply whether Government should exist for the benefit of the many, or whether it should exercise its powers for the advantage of the few.

It takes authentic courage for a public official, such as Commissioner Keppel, or for a newspaper, to stand up for the property rights of the many inarticulate citizens of this country against the vocal and powerful special representatives of the few.

As chairman of the Subcommittee on Education, I commend the Commissioner of Education for his timely announcement of this position.

Before being appointed Commissioner, Mr. Keppel enjoyed a distinguished career as the dean of the Graduate School of Harvard University beginning in 1948. He also served in numerous advisory and consultant capacities on national and international education problems before being named to this post by the late President Kennedy in November 1962.

As the editorial states, this policy is not "an academic matter." It will mean a better educational break for millions of boys and girls who are in school now, and who will be entering educational institutions for many years to come.

I ask unanimous consent that the editorial from the Washington Post be printed at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Aug. 15, 1965]

IN THE PUBLIC DOMAIN

When the public pays for research, the research properly belongs to the public. The Commissioner of Education, Mr. Keppel, has now adopted that rule without qualification. Since the Federal Office of Education is currently distributing nearly $100 million a year in research funds, the question of copyrights and patents is not wholly academic.

The most valuable research, in the commercial sense, will probably be that bearing on the development of new curriculums and textbooks. The Office of Education anticipates that its policy will mean faster dissemination of new ideas; the authors and publishers of textbooks will be able to use the federally financed prototypes without fear of copyright infringement. However, interesting the research reports may be to theorists, they will have practical effect only as they reach schools and children. They will be put to use more quickly, and more widely, because they will now lie in the public domain.

OREGONIAN APPOINTED VICE CHAIRMAN OF NATIONAL EXPORT EXPANSION COUNCIL

Mr. MORSE. Mr. President, I was pleased at the announcement that Mr. Robert F. Dwyer of Portland, Oreg., was recently named to the post of vice chairman of the National Export Expansion Council. Mr. Dwyer heads the firm of Dwyer Lumber & Plywood Co., which has its headquarters in Portland, and has been active in seeking markets for American wood products in export markets such as South America and Japan.

The vice-chairmanship position is a newly created one on the National Council. Its creation accompanied the doubling of the council's membership from 33 to 66, which denotes a redoubled effort in our national drive to expand exports. As President Johnson stated on that occasion:

> While, as you know, we are now engaged in a most comprehensive program to eliminate our deficit, our future balance-of-payments position will be determined primarily by just one thing: the ability of American business to compete successfully and adequately in all markets of the world.

The Senate Small Business Committee, under the able chairmanship of Senator JOHN SPARKMAN, has been consistently active in expanding export opportunities for American businesses.

Since about 90 percent of all firms are small business, it is logical that our greatest opportunities nationally are among businesses of small and medium size. The fact that a company need not be a giant to be a successful exporter, is evidenced by the fact that between a third and a half of the President's "Export E" awards are small business.

During the hearings of the Small Business Committee in 1962, one of these award winners, the Key Equipment Co. of Milton-Freewater, Oreg., gave some fine testimony on how small businesses can enter the export field and profit substantially.

Currently, our Small Business Committee is considering ways of expanding exports of U.S. beef and beef products by reducing freight rate and other barriers.

Following hearings in February 1965, we were able to report that ocean freight rates on beef were reduced between 20 and 25 percent. Later in the year, Senator SPARKMAN reported that beef exports for the first quarter of 1965 were up 100.2 percent over the first quarter of 1964, and live cattle exports were up 68.6 percent.

These developments help every livestock raiser, rancher, finisher, and meatpacker from coast to coast, who is trying to achieve the best possible market for his products at home and abroad.

As is well known, most of these businesses are independent, family-owned, small enterprises in the best sense of the term.

The Export Expansion Council system, which is based upon 42 regional councils in different parts of the country, is a valuable instrument for mobilizing interest, advice, and know-how in our national efforts to win new markets abroad and balance our national accounts.

I, therefore, congratulate President Johnson on the appointment of Mr. Dwyer to the vice-chairmanship of the National Council, where he will have the opportunity to contribute his talents toward the realization of these important objectives.

I ask unanimous consent that an article bearing on the subject matter I have just discussed be printed at this point of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THREE TOP ASSIGNMENTS: FRED C. FOY TO HEAD NEEC—EXPORT COUNCIL IS ENLARGED AS PART OF MORE MASSIVE BALANCE-OF-PAYMENTS EFFORT

President Johnson named three top officials of the National Export Expansion Council (NEEC) last week.

At the same time, membership in the Council was doubled from 33 to 66.

Former Secretary of Commerce Luther H. Hodges, chairman of the Research Triangle Foundation in North Carolina, accepted appointment as NEEC honorary Chairman.

Fred C. Foy, Koppers Co. board chairman, Pittsburgh, was named NEEC Chairman.

Robert F. Dwyer of the Dwyer Lumber & Plywood Co., Portland, Oreg., became Vice Chairman.

The vice-chairmanship is a newly created NEEC post. The honorary chairmanship now assumed by Governor Hodges formerly was held by Foy.

Thanking Foy for accepting the chairmanship, President Johnson wrote:

"While, as you know, we are now engaged in a most comprehensive program to eliminate our deficit, our future balance-of-payments position will be determined primarily by just one thing: the ability of American business to compete successfully and adequately in all markets of the world."

NEW SETUP

Secretary of Commerce John T. Connor announced that membership on the National Council would be increased twofold. This is the new setup:

On the numerically strengthened National Council, the chairmen of the 42 Regional Export Expansion Councils (REEC's), 10 association presidents and 11 private businessmen are now serving with Honorary Chairman Hodges, Chairman Foy, and Vice Chairman Dwyer. These changes are part of a national export expansion drive which is being "redoubled" literally and in every other sense.

The National Export Expansion Council is composed of business, labor, and professional leaders, including heads of national associations directly concerned with export trade.

ON MANY FRONTS

The NEEC advises the Secretary of Commerce on all matters under his jurisdiction affecting U.S. exports, and provides leadership and guidance to the REEC's—one for each of the Commerce Department's 42 field offices.

Twelve hundred of America's most prominent business and professional men and women serve on the 42 REEC's, supplementing the work of field offices by helping to strengthen Government-business relations in international trade. Among other things, they:

Inform business communities throughout the Nation on U.S. business policies and programs affecting exports.

Alert the Department to problems encountered by American exporters.

Advise the Secretary of Commerce in the formulation of international business policies and programs.

Provide assistance to established exporters in increasing their share of overseas markets.

Encourage nonexporters to enter international trade.

Stimulate the flow of private direct investment from the United States to less-developed countries and from other industrialized countries to the United States.

EXECUTIVE BOARD

A 12-man executive board will be appointed from among the 66 NEEC members to advise the Secretary of Commerce and give policy direction to the Council. All NEEC members are appointed by the Secretary for 1 year. Association presidents are appointed for the duration of their terms of office in their respective organizations.

As National Export Expansion Council Chairman, Foy succeeds the late Neil C. Hurley, Jr. A University of California graduate, Foy has been associated with the Koppers Co. since 1948 and is also a director of the Kroger Co., Western Allegheny Railroad Co., H. K. Porter Co., Carrier Corp., Mellon National Bank & Trust Co., and others. He is also an active member of the business council.

Vice Chairman Dwyer is a lumber industry executive with interests in Oregon, California, and New Mexico. He has been a NEEC member for 2 years and is active in many industrial, civic, eduactional, and charitable organizations.

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following additional routine business was transacted:

MESSAGE FROM THE HOUSE

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

S. 45. An act for the relief of Maj. Raymond G. Clark, Jr.;

S. 125. An act for the relief of Armando S. Arguilles;

S. 207. An act for the relief of Dr. Jose S. Lastra;

S. 263. An act for the relief of Honorata A. Vda de Narra;

S. 442. An act for the relief of Carleen Coen;

S. 570. An act for the relief of Frank S. Chow;

S. 582. An act for the relief of Aleksandr Kaznacheev;

S. 616. An act for the relief of Miss Choun Seem Kim;

S. 678. An act for the relief of Lee Hi Sook;

S. 826. An act for the relief of Har Gobind Khorana;

S. 916. An act for the relief of Debra Lynne Sanders;

S. 954. An act for the relief of Ailsa Alexandra MacIntyre;

S. 1103. An act for the relief of Kathryn Choi Ast; and

S. 1498. An act for the relief of Nikolai Artamonov.

JOINT RESOLUTION INTRODUCED

Mr. MAGNUSON, by unanimous consent, introduced a joint resolution (S.J. Res. 104) to designate the calendar week beginning May 7, 1967, and ending May 13, 1967, as "Woman's International Bowling Congress Week," which was referred to the Committee on the Judiciary.

(See the remarks of Mr. MAGNUSON when he introduced the above joint resolution, which appear under a separate heading.)

DESIGNATION OF WOMAN'S INTERNATIONAL BOWLING CONGRESS WEEK

Mr. MAGNUSON. Mr. President, it is with great pleasure that I introduce this joint resolution to mark appropriately the forthcoming Woman's International Bowling Congress.

In its 50 years the Woman's International Bowling Congress and its member organizations have made a substantial contribution in all of our communities. The value to the nearly 3 millions of housewives is apparent. More than 75,000 women in my own State of Washington participate under the sponsorship of the Woman's International Bowling Congress. Undeniably, bowling provides for these women a healthy, vigorous, and constructive form of recreation, where they may meet with their friends in their leisure hours.

Further, as the joint resolution points out, the presence of women at the bowling lanes has had a salutary effect on the establishments themselves. Not only have the many newly built bowling centers been beautifully decorated as a result of the feminine influence and interest, but bowling has also become a family recreation.

Mr. President, more than 50,000 women will participate in a 2-month long tournament accompanying the convention in 1967, and I think it is perfectly fitting that we take action to designate "Woman's International Bowling Congress Week."

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 104) to designate the calendar week beginning May 7, 1967, and ending May 13, 1967, as "Woman's International Bowling Congress Week," introduced by Mr. MAGNUSON, was received, read twice by its title, and referred to the Committee on the Judiciary.

ADDITIONAL COSPONSORS OF BILL AND JOINT RESOLUTION

Mr. GRUENING. Mr. President, at its next printing, I ask unanimous consent that the name of the junior Senator from Colorado [Mr. DOMINICK] be added as a cosponsor of the bill (S. 1676) to provide for certain reorganizations in the Department of State and the Department of Health, Education, and Welfare, and for other purposes.

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

Mr. DIRKSEN. Mr. President, on the next printing of Senate Joint Resolution 103, I ask unanimous consent that the names of the Senator from Vermont [Mr. AIKEN], the Senator from Kansas [Mr. CARLSON], the Senator from North Dakota [Mr. YOUNG], the Senator from Maine [Mrs. SMITH], and the Senator from Iowa [Mr. MILLER] be entered as cosponsors.

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

ADJOURNMENT

Mr. MORSE. Mr. President, in accordance with the understanding previously agreed to, I now move that the Senate stand in adjournment until 12 o'clock tomorrow.

The motion was agreed to; and (at 7 o'clock and 34 minutes p.m.) under the previous order, the Senate adjourned until tomorrow, Wednesday, August 18, 1965, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate August 17, 1965:

DIPLOMATIC AND FOREIGN SERVICE

Joseph John Sisco, of Maryland, a Foreign Service officer of class 1, to be an Assistant Secretary of State, vice Harlan Cleveland.

Harlan Cleveland, of New York, to be the U.S. Permanent Representative on the Council of the North Atlantic Treaty Organization, with the rank and status of Ambassador Extraordinary and Plenipotentiary, vice Thomas K. Finletter.

Wilson T. M. Beale, Jr., of Connecticut, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Jamaica.

Raymond L. Thurston, of Missouri, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Somali Republic.

John Gordon Mein, of Maryland, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Guatemala.

Phillips Talbot, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Greece.

Raymond A. Hare, of West Virginia, a Foreign Service officer of the class of career ambassador, to be an Assistant Secretary of State, vice Phillips Talbot.

HOUSE OF REPRESENTATIVES

TUESDAY, AUGUST 17, 1965

The House met at 12 o'clock noon.

The Right Reverend Monsignor Maurice King, pastor of St. Peter's Church, Washington, D.C., offered the following prayer:

O God, we believe in Thee—strengthen our faith. All our hopes are in Thee, do Thou secure them. We love Thee—teach us to love Thee daily more and more. We are sorry for our offenses—increase our sorrow.

We adore Thee as our first beginning; we aspire after Thee as our last end. We give Thee thanks as our constant benefactor, we call upon Thee as our sovereign protector.

Vouchsafe, O God, to conduct us by Thy wisdom, to restrain us by Thy justice, to comfort us by Thy mercy, to defend us by Thy power.

We call upon Thee to enlighten our understanding, to strengthen our will, to purify us in body and soul.

Give us strength, O Lord, to expiate our offenses, to overcome our temptations, to subdue our passions, and to acquire the virtues proper to our state in life.

Fill our hearts with tender affection for Thy goodness, hatred of our sins, love of our neighbor and contempt of worldly vanity.