HOUSE OF REPRESENTATIVES

MONDAY, JANUARY 17, 1966

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., chose this verse of Scripture: St. Matthew 28: 20: *Lo, I am with you alway, even unto the end of the world.*

Almighty God, in whose presence is our peace and whose mind is far wiser than our own, inspire us with that faith, which looks beyond the shadows and darkness of these days.

Help us to understand how sacred and wonderful it is to worship Thee and work with Thee to build Thy kingdom and to be brought home from a strange and far country to our better and nobler selves.

Lift us from our troubled lower nature to those heights whence cometh the strength and joy of new visions and hopes.

Give us calm and courageous hearts and may we always walk without fear, knowing that we never are unattended, for in Thy fellowship our every step is guided and every duty is made plain.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, January 13, 1966, was read and approved.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Geisler, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a resolution as follows:

S. RES. 176

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. Herbert C. Bonner, late a Representative from the State of North Carolina.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Resolved, That, as a further mark of respect to the memory of the deceased, the Senate do now adjourn until Monday next.

The message also announced that the Senate had passed a joint resolution of the following title:

S.J. Res. 125. Joint resolution extending the date for transmission of the economic report.

INVESTIGATION OF THE KU KLUX KLAN

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

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

There was no objection.

Mr. POOL. Mr. Speaker, as a member of the subcommittee of the House Committee on Un-American Activities, which is investigating the Ku Klux Klan, I wish to bring to the attention of the Members of the House an article by Louis Harris which appeared in the Washington Post this morning. Mr. Harris pointed out that, in a poll which he conducted, the people of the United States by a margin of 7 to 1 view the Ku Klux Klan as a harmful influence. The poll also shows that the people of the South by a margin of 3 to 1 disapprove of the Klan.

We on the committee consider the findings of this poll to be an unqualified indication of the people's approval of our investigation and of the remedial legislation which will ensue. Our committee has compiled a mass of evidence indicting the Klan and its organizers. We have exposed their habits of violence and unlawful conspiracy, as well as the way their leaders have hoodwinked and defrauded the rank and file members.

I am sure that the majority of Members of Congress likewise support our investigation. We are bringing the basic facts and evidence to the American people with the belief that destroying the secrecy that has always been the Klan's main bulwark of strength will cause its ultimate downfall.

The above-mentioned article follows:

THE HARRIS SURVEY—KLAN VIEWED HARMFUL INFLUENCE IN U.S. LIFE BY MARGIN OF 7 TO 1

(By Louis Harris)

By a 7-to-1 margin, the people of the United States regard the Ku Klux Klan as a harmful influence in our national life. White southerners go along by a 3-to-1 ratio with that general view of the Klan.

The Klan is seen as an extremist, revolutionary organization whose principal design is to stir up trouble for Negroes and other minority groups. When asked the type of people from which the KKK draws its support, the public chooses such labels as "terrorists," "sick people," "poor white trash" and "Communists." A majority of Negroes, however, tends to lump the Klan and white southerners together, despite evidence to the contrary.

Rarely has a home-grown organization been so widely denounced and rejected as the Klan is today.

A carefully drawn cross section of adults was asked:

"Do you feel the KKK (Ku Klux Klan) does more good than harm in America, more harm than good or doesn't it matter much one way or the other?"

More harm or more good?

[In percent]

	More good than harm	More harm than good	Does not matter
Nation	11	77	12
East	8	83	9
Midwest	11	80	9
South	19	63	81
West	10	83	7

During recent months, Klan members have conducted a number of public demonstrations, sometimes attended by thousands. In order to determine the impact of this show of strength, the Harris Survey asked two questions:

"Here is a list of words. Which two or three do you think best describe the kind of people who support the KKK?"

"Now, from the same list, which two or three words do you feel best describe the people who are most against the KKK?"

Who supports the KKK?

[In percent]

	Nation	South	Negroes
Terrorists	48	31	54
White southerners	41	34	55
Sick people	31	25	43
Communists	29	24	43
Poor white trash	23	24	42
Bad people	19	21	38
Bigots	16	5	24
Red-blooded Americans	5	11	3
Patriots	4	6	5
Good people	4	9	1
Negroes	2	5	1
None or not sure	14	28	8

Who opposes the KKK?

[In percent]

	Nation	South	Negroes
Red-blooded Americans	50	35	52
Good people	50	39	70
Negroes	49	49	74
Patriots	37	21	36
White southerners	5	8	3
Communists	4	10	2
Sick people	2	3	5
Poor white trash	2	2	5
Bad people	2	4	2
Terrorists	1	3	1
Bigots	1	----------	4
None or not sure	13	25	9

(Percentages add to more than 100 because people named more than one descriptive word.)

In the South the survey reveals a broad consensus in opposition to the Klan and in favor of those who openly question its purposes. Doubt and confusion run highest there—1 in 4 southerners is loath to commit himself on the issue. But the significant fact is that the KKK is now on the defensive there as well as elsewhere.

THE MOST POPULAR CONGRESS IN MODERN TIMES

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

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

There was no objection.

Mr. ALBERT. Mr. Speaker, I am sure you have all heard some of the remarks made by the critics of the 89th Congress. They have referred to it as the "me too" Congress, the "rubberstamp Congress," the "subservient" Congress.

Probably no better and certainly no more effective answer to this carping could be furnished than the results of the Harris poll published a few days ago.

In sum, the Harris poll indicates that the great majority of the American public does not share this view of the critics.

In the words of the poll:

When Congress reconvenes this week, it will be riding the crest of the highest public

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approval registered in modern times. Fully 71 percent of the American electorate gives a favorable rating to the job done by Congress in 1965.

I include the Harris poll at the conclusion of my remarks in order that Members who may not have seen it may know the evaluation of their work by the American people.

I should like to add that I feel that the tremendous expression of confidence given this Congress is due to one fact. This Congress has been a responsive and a responsible Congress. It has considered the problems of this country and its people, and it has acted accordingly.

Although there may be those who continue to think this is a "subservient" Congress, I hope that we in this House will nevertheless continue to show the same compassionate attribute toward the needs of the people in such a manner that we will continue to merit their support and compliance.

THE HARRIS SURVEY

(By Louis Harris)

When Congress reconvenes this week, it will be riding the crest of the highest public approval registered in modern times. Fully 71 percent of the American electorate gives a favorable rating to the job done by Congress in 1965. This compares with only 35 percent who felt this way 2 years ago, shortly after the death of President John F. Kennedy.

The reason for the increase is the widespread and almost uniform praise that now abounds in the country for the legislative program adopted after President Johnson took office. Medical care for the aged, considered by the public the most important to them personally, now is backed by 82 percent. Federal aid to education, judged the second most important piece of new legislation, is supported by 90 percent. Cutting excise taxes, third in the list of popular priorities, is looked on favorably by 92 percent. And the voting rights bill, ranked No. 4 by the public, is now supported by 95 percent.

It is evident that many of last year's most controversial measures have been accepted and even become popular. This is the case for revision of the immigration regulations, support prices and payments to farmers and the antipoverty program—all of which were the subject of vigorous disagreement and debate.

In fact, Congress has impressed the people so much that it is more popular than the President—four points higher than the Chief Executive's last recorded positive rating of 67 percent.

A carefully drawn cross section of the public was asked:

"How would you rate the job Congress did this past year in 1965—excellent, pretty good, only fair, or poor?"

Rating of Congress

	Excellent to pretty good	Fair to poor
	Percent	*Percent*
December 1965	71	29
December 1964	64	36
December 1963	35	65

The most dramatic gain in popularity for Congress was recorded in the South, while its top overall rating continues to be in the East.

Regional ratings of Congress

	December 1965	December 1964
Rate Congress positively: Nationwide	71	64
East	79	69
Midwest	66	65
South	66	49
West	66	62

In 1964, the South was still smarting over the civil rights legislation which had been a major issue in the presidential election. A year later, the South is still not happy about civil rights bills, but the pulling power of other legislation apparently has rehabilitated Congress reputation.

The public was also asked:

"Now I want to hand you a list of bills passed by this last Congress. For each, tell me if you approve or disapprove of that bill from what you know or have heard of it."

Opinion about specific legislation

	Approve	Disapprove
	Percent	*Percent*
Voting rights for Negroes	95	5
Cutting excise taxes	92	8
Federal aid to education	90	10
College scholarships	89	11
Medical care for the aged	82	18
Highway beauty	79	21
Antipoverty program	73	27
Immigration, based on individual skill rather than country quota	70	30
New Cabinet post, Secretary of Urban Affairs	67	33
Supports and payments for farmers	62	38

Not only is there solid endorsement of the major bills passed by Congress, but those with the highest public approval also tend to be considered the more important to voters personally. The cross section was asked:

"If you had to choose one bill, which one would you say is most important to you personally?"

Most important bill:	*Percent*
Medical care for the aged	28
Federal aid to education	21
Cutting excise taxes	18
Voting rights for Negroes	14
The antipoverty program	8
Immigration revision	3
College scholarships	3
Farm program	2
Department of Urban Affairs	2
Highway beauty	1

The widespread public approval of the 1965 congressional record could have important implications for the 1966 off-year elections. Despite new-found levels of confidence, however, the Democrats cannot count on any automatic repeat of 1964's smashing victories in the House and Senate. Congressional political prospects for 1966 will be explored in tomorrow's column.

RENEWAL OF THE GOVERNMENT SERVICE

Mr. CLEVENGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include a speech by Secretary of the Department of Health, Education, and Welfare John Gardner.

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

There was no objection.

Mr. CLEVENGER. Mr. Speaker, Friday, January 14, 1966, I was privileged to hear Secretary of Health, Education, and Welfare John W. Gardner deliver the following speech at the civil service anniversary in the departmental auditorium in Washington, D.C. For the benefit of my colleagues who could not be present, and others in Government service, I feel Secretary Gardner's remarks should have broader publication. His speech follows:

RENEWAL OF THE GOVERNMENT SERVICE

(By John W. Gardner, Secretary of Health, Education, and Welfare)

We are here to commemorate an important beginning and to honor a fine tradition. The civil service is one of our noblest social institutions and I am proud to have a part in this tribute to it.

But I have learned from long experience that it is not really necessary to congratulate institutions. They have built-in mechanisms for self-congratulation that are marvelously effective. Having participated intimately in the life of Government agencies, the military services, business firms, and universities, I feel that I can make that generalization on the basis of fairly comprehensive experience.

So I am going to honor the civil service by talking about the goals ahead rather than the laurels already won.

First let me clear away some general questions. Is the Federal Government bureaucratic? It is indeed. But so are business firms, colleges and universities, the military services, State and local governments, and philanthropic organizations.

Is the Federal Government in danger of going to seed? It is in the gravest danger. But so are all other organizations large and small.

I think most of you know my views on the decay and renewal of organizations.

Briefly, I believe that most human organizations that fail in their missions or fall short of their goals do so not because of stupidity, not because of faulty doctrines, but because of the internal decay and rigidification to which they are all subject. They get stiff in the joints. They get in a rut. They go to seed.

I know that many of you are familiar with my diagnosis of what brings that condition about. So I am going to limit myself today to a few brief comments on what I regard as the most important single line of therapy for moribund organizations.

Organizations go to seed when the people in them go to seed. And they awaken when the people awaken. The renewal of organizations and societies starts with people. And since the first and last business of the civil service is people, this seems an appropriate occasion to examine the problem.

Specifically, I want to talk about what the Federal Government does to develop talent—after recruitment. Recruitment itself is worthy of discussion, and there is a vastly better job to be done on that front, but that is not the problem that interests me at the moment.

As a society, we are pursuing energetically, almost feverishly, the identification and nurture of gifted young people in our schools and colleges. In contrast, we are quite haphazard about the provisions for their continuing growth after formal education ceases. Almost all organizations in our society today are competing desperately to get their share of the flow of talent. But few are developing that talent properly after they get it.

The still untapped source of human vitality, the real unmined reservoir of talent is

in those people already recruited and thereafter neglected.

The quickest and most effective road to renewal of the Federal service is the mining of that untapped resource. It is not only a means of tapping unused talent and opening up new stores of vitality, it is a solution to the old, old problem of developing a Government service that is responsive—responsibly responsive—to changing top leadership. Vital people, using their gifts to the full, are naturally responsive. People who have stopped growing, defeated people, people who no longer have confidence in the use of their own powers, build bastions of procedure between themselves and any vital leadership.

Now how does one go about renewing the people in the Government service—or anywhere else for that matter? There are many sources of renewal, of course. One is the uninvited crisis. Wars and depressions bring a certain amount of renewal, though the price is far higher than sensible people are willing to pay.

Another source is challenge and competition, and in this respect our Constitution has built-in provisions for the renewal of elected officials. But appointive officials, not facing the challenge of an election, are denied that stimulus.

Another source of renewal is rapid growth. Very rapid expansion of an agency is apt to have a highly stimulating effect upon the people within it.

Still another source of renewal is the sheer vitality of top leadership. I think, for example, that President Johnson has been as vigorous, if not cyclonic, a force for renewal as we have seen in this Government.

But what about the more mundane things that good Government administrators can do to renew their organizations? What about the good personnel practices and procedures that will insure renewal? I'm going to give you an oversimplified answer, but an oversimplification based on having observed the personnel field with a professional eye for 30 years.

I am going to assert that the best means of inducing growth, developing talent, and insuring continued vitality in the individual is change. The change may take many forms—a change of troubles, a change of assignment, promotion, living in different parts of the country, moving in and out of Government, sampling the different worlds that make up this society, serving abroad, serving in an organization that is itself rapidly changing.

It follows, I believe, that the single condition that would contribute most to greater vitality in the Government service today is flexibility of reassignment. In his state of the Union message, President Johnson pledged bold leadership to bring this about.

The size of the Federal Establishment and the diversity of activities it encompasses offer unexampled opportunities for imaginative reassignment. With such an array of possibilities it is unforgivable that any reasonably competent Government servant should suffer in a job that does not suit his talents.

It is unforgivable that any Government servant should lack the stimulus to personal growth that comes with change. The individual should be allowed to move and the agency should be allowed to move him without damage to his status or his feelings.

Free, frequent, and fluid movement among all the agencies of Government should be the accepted rule. The ambitious or merely restless young person who wants to sample several different lines of work should not be punished or penalized. Restlessness and vitality go together. And especially promising young people should be systematically reassigned through several agencies to insure their growth.

Beyond that there should be a great increase in the planned movement of individuals between the Federal Government and the other worlds that make up American life—the world of business, the military, the universities, the labor unions, agriculture, State and local government. I have moved in several of these worlds, and I am continually shocked at their mutual ignorance of one another. That ignorance breeds both complacency and paranoia. Each of these worlds imagines that it is uniquely close to the moral center of American life, and believes that the other worlds aren't really quite to be trusted with the American future.

Of all these worlds, the Government service has the least excuse for being provincial. It should have the capacity to understand all of the other segments of society. Without that understanding it will not be able to serve them effectively.

I would also favor an overseas assignment early in the career of those young Government people who seek to rise to the top. We have gotten past the day when only those individuals who have an explicit international interest should think of going overseas. The work of Government at home and abroad needs the breadth of perspective acquired by experience overseas. Such experience is valuable any time during one's career, but the earlier it comes the better.

All the processes of refreshment I've mentioned are particularly needed in the case of professional, scientific, technical, and scholarly people. Government needs such people more and more. But it will neither get them nor keep them if it doesn't provide the opportunities for further growth that they value so highly.

There is no excuse for Government to lose out in the competition for talent. It has a built-in advantage over every other employer. The cynics would deny this but the truth is that talented people are attracted to Government because it gives them an opportunity to render service to the entire Nation. They come with the highest motives. They leave when their purpose is thwarted or when they begin to feel trapped. Government cannot afford to be inhospitable to these people.

The administration of the affairs of this Nation are complex and dynamic. They are going to become increasingly so. The Congress has just enacted a staggering amount of legislation which must now be translated into action. It would be hard to overstate either the magnitude of the tasks ahead or their importance to the Nation.

President Johnson made this abundantly clear in his state of the Union message on Wednesday.

Now, let me ask these questions:

Is the Federal service capable of meeting this challenge? Of course, but to do so it must take some significant steps to renew its spirit and its people.

Is renewal compatible with the Federal merit system? It most certainly is. The merit system, now in its 83d year, represents a great advance in the personnel practices of government. We are not about to return to a spoils system.

But tenure was not designed to trap people, to make them inert. It was designed to free them from the capriciousness of politics. They need both the protection of a career system and opportunities for growth.

We can preserve all the great traditions of the system and still maintain the vitality that is so essential in this rapidly changing and infinitely challenging moment of history.

Recognizing that the very size and nature of the system make it particularly susceptible to stagnation, we can make special efforts to build in arrangements for renewal. Through some of the devices I have mentioned we can turn the concept of tenure into a positive asset rather than a deterrent to the full use of our talent.

The momentum generated by the President and the flood of legislation enacted by the Congress have given us unparalled opportunities to create new patterns of work and to bring new strength and vitality to the career service.

I am optimistic that we will do so, and that optimism is based in no small measure on the fact that one of the boldest innovators in Government today, John Macy, is also Chairman of this Commission.

John Macy introduced this session with some kind remarks about me and I want to end it with a tribute to him. I think he is a superb example of the best that the Federal service can produce, and I am proud to have shared this platform with him.

JOHN CHAMBERLAIN'S BAFFLING COLUMN ON FARM LABOR

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

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

There was no objection.

Mr. COHELAN. Mr. Speaker, I take this time to comment on John Chamberlain's baffling column on farm labor which appeared in the Washington Post on January 8, 1966.

I am sure that this column was well intentioned but it distorts the facts and shows a lack of homework by the author.

While wrongly implying we cannot get by without the mass importation of foreign farmworkers, Mr. Chamberlain misses one of the most salient points about California agriculture in 1965:

It was a banner year—a year in which the State's farm income hit an alltime high of $3.7 billion, 2 percent higher than the previous record of 1964.

And it was, as I have asserted on other occasions, a highly successful year in agriculture in my State for all concerned—grower, consumer, and domestic farmworker.

I believe that he makes a terribly unjust indictment of Americans who choose to toil in the fields, orchards, and groves for a living by saying:

> The fact is that American citizens do not like to pick lemons and apples or harvest lettuce, no matter what the financial inducement.

The record shows he is dead wrong on this score.

In 1965, Americans worked in vastly increased numbers, in the harvest of lemons, apples, lettuce, and the full range of agricultural commodities that formerly used foreign abor.

In California alone, domestic farm employment was up about 20,000 last summer and fall over the same time a year ago.

As a result, domestic workers accounted for 97.3 percent of the man-years of labor in California's seasonal hired farm employment in 1965, compared to only 2.7 percent for contract foreign labor.

The importance of this data is that, in the years 1959–64, domestic labor averaged just 73.7 percent of total seasonal man-years, while foreign labor totaled 26.3 percent.

That is quite an improvement for domestic workers; yet Mr. Chamberlain's column attempts to discount this by implying that Mexican immigrants—so-called green-card workers—accounted for a large share of this increase in domestic employment.

This simply is not true. Between January 1 and October of 1965, only 56 Mexican green-card workers were approved for admission into this country for agriculture. And, since July 1963, only 7,755 green-card holders have been authorized for agriculture. It is interesting to note, I believe, that, on January 11, 1966, there were 16,609 green-card holders in California—only 10,464 in agriculture.

It should be noted that these workers have been entering the country from Mexico for many years and have indeed been counted as part of our domestic labor force. Green-carders have all the rights and privileges of American citizens except the right to vote or hold elective office.

The column also mentions wetbacks—Mexican nationals who enter the country illegally—as a sizable factor in computations of domestic employment. In 1965, 31,162 wetbacks were apprehended by American officials. This is nearly 16,000 more than the number caught in 1964.

If there are, as Mr. Chamberlain's column alleges, large numbers of these illegal entrants from Mexico working on U.S. farms, I think there is either a need for tighter enforcement or possibly for new legislation which would make it unlawful for an employer, agricultural or otherwise, to hire such a person. It is quite feasible to determine if a person is an American citizen or if he has entered the country legally. A simple check at the time of hiring can determine this.

I certainly would be more than happy to explore the needs for legislation along these lines if it is found that persons entering America illegally are being employed.

Mr. Speaker, the column implies, and again erroneously, that the end of the mass importation of braceros has led to, first, serious crop losses; second, thousands of acres of vegetables going unplanted; third, an exodus of many farmers to Mexico; and fourth, an increase in wholesale and retail prices of farm products.

None of these charges is based on fact. Let us examine them one by one.

Crop losses: In California, there were no serious crop losses due to labor shortages. Some losses resulting from labor shortages occurred in strawberries and asparagus, but it should be pointed out that extremely low wages were paid in both of these crops and growers stubbornly refused to increase piece rates to a reasonable level. Makeup pay was required in both crops to bring wages to the $1.40-an-hour guarantee level. Nevertheless, strawberry and asparagus growers both grossed more income in 1965 than the 1959–64 average.

Unplanted acreage: Acreage was down in some crops in 1965, but, significantly, California farm production hit 37.3 million tons last year—just 2 percent below the record 38.2 million tons in 1964 and an impressive 10 percent above the 1959–63 average. Furthermore, the California Department of Agriculture reports that the principal crops harvested in 1965 totaled 8 million acres, 11,000 more than in 1964.

It now appears that a majority of growers in California view the future with considerable optimism. In America's leading agricultural county, Fresno County, growers are reducing cotton acreage to increase their lettuce and tomato acreage, two crops which growers had previously insisted required braceros. It is reported by the Federal Farm Labor Service that:

First. Fresno County's spring lettuce will increase from 700 to 4,000 acres.

Second. The Mendota area's 1,700 acres of fall lettuce will increase to 6,000 acres.

Third. Cannery tomato acreage in the Mendota-Firebaugh-Huron area is expected to rise from approximately 3,000 acres in 1965 to between 15,000 and 20,000 acres in 1966.

Exodus to Mexico: The U.S. Department of Agriculture reports little movement of American farmers to Mexico other than members of religious groups who have immigrated to that country to become citizens. The Agriculture Department pointed out that some American capital has moved to Mexico in the past couple of years for processing and freezing plants but there are no facts linking this movement with termination of Public Law 78 on December 31, 1964.

Price increases: Both the retail and wholesale prices of fresh fruits and vegetables have remained generally steady in 1965. In November, the consumer price index revealed that prices of fresh fruits and vegetables were 2.7 percent lower than a year earlier. In October, they were 3.9 percent lower, in September, 3.8 percent lower and in August 1.5 percent lower than in 1964. As for wholesale prices, the latest data shows that prices of fresh and dried fruits and vegetables were 12 percent lower in November than in 1964 and 5 percent below their 1957–59 average.

Mr. Chamberlain also mentions farm wage differentials—$1.40 an hour for California farmworkers compared with $1.15 an hour in Texas and Arizona. The implication is, I think, that my State was singled out for higher wage rates. This just is not factual.

Identical wage rates were set for California and seven other States under the regulations announced by the Labor Department for the terms and conditions governing applications for foreign workers engaged in temporary agricultural employment. In specifying these rates, account was taken of the different levels of wages in the various States when the regulations were issued in December 1964.

This column covers, in much less detail, farm labor matters in other States. Because of the inaccuracies in the discussion of California agriculture, I would be skeptical, at best, about the treatment given other regions of the country.

Mr. Speaker, as I have stated over and over, one of our great national challenges is to insure that agriculture is drawn into the mainstream of American economic life. Farm employers must compete for workers just as employers in other industries have traditionally done. When they do, when they offer reasonable wages and working conditions, the record shows that American workers are available. Only when they do can American farmworkers become first-class American citizens.

NOMINATION OF THE HONORABLE ROBERT C. WEAVER AS SECRETARY OF THE HOUSING AND URBAN DEVELOPMENT DEPARTMENT

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

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

There was no objection.

Mr. BOLAND. Mr. Speaker, I take this time to commend President Johnson for two outstanding appointments—Robert C. Weaver as Secretary of the new Department of Housing and Urban Development and Robert C. Wood, Under Secretary of the same Department.

Both nominations were unanimously approved this morning by the Banking and Currency Committee of the Senate. This rapid action by the committee clearly confirmed the universal acclaim that both nominations have received.

Despite what some pundits and columnists have written, there was no questioning by those who really knew that Robert C. Weaver would be President Johnson's choice for this tremendously important new Cabinet post. President Johnson was convinced, even before the post was created, that the Administrator of the Housing and Home Finance Agency, Mr. Weaver, was the best man for the new, taxing, and complex position. He never waivered from this belief. No one knew better than the President that the new Cabinet chair had to be filled by one who possessed an abundance of knowledge, skill, and intelligence in dealing with the ever-growing and constantly perplexing problems of housing and urban development. This task demanded the best man available and President Johnson knew he had him in the person of Dr. Weaver.

Mr. Speaker, I am personally delighted with the appointment. I came to know Dr. Weaver when he was appointed by President Kennedy as Administrator of the Housing and Home Finance Agency in 1961. May I say and recall that President Kennedy would have appointed him to the same Cabinet post, if it had been created during his Presidency.

My appraisal of Dr. Weaver has been gleaned from the many appearances he has made before the Subcommittee on Appropriations that deals with the budget of the housing agency. It is

further buttressed by the manner in which he had handled the myriad tasks and problems that have centered in the agency. All of this leads me to say that President Johnson has selected one of the most outstanding men in this field in the Nation to preside over the new department. He could not have made a better choice.

Mr. Speaker, in designating Robert C. Wood to be the No. 2 man in the Department of Housing and Urban Development, President Johnson again has underscored his desire to bring talent and excellence into this administration. Dr. Wood's wide range of activities and his particular interest in the field of metropolitan problems make him an ideal choice as Under Secretary.

Mr. Speaker, I am convinced that the Department of Housing and Urban Development under the skillful direction of Dr. Weaver and Dr. Wood will be headed in the direction of resolving the many problems that plague the Nation's urban growth and development. The Department of Housing and Urban Development was created by the Congress to get to the core of the difficulties that have marred and threatened the existence of our cities and towns.

I know the Members of this House wish Dr. Weaver and Dr. Wood well as they join together in the herculean task that will be theirs.

Mr. Speaker, I include with these remarks some biographical information:

ROBERT C. WEAVER

Mr. Robert C. Weaver was born in Washington, D.C. on December 29, 1907. He was educated at Harvard University, receiving a B.S. in 1929, an M.A. in 1931, and a Ph. D. in 1934.

From 1933 to 1937 he was the Adviser for Negro Affairs, Department of the Interior, and from 1937 to 1940 he served as the Special Assistant to the Administrator, U.S. Housing Authority. He also worked from 1940 to 1944 as an official on the War Production Board, where he became chief of the Minority Group Service Division. From 1945 to 1948 Mr. Weaver was a member of the American Council on Race Relations.

After teaching at Northwestern University, Columbia Teachers College, and New York University, Mr. Weaver became the director of opportunity fellowships, John Hay Whitney Foundation, a position he held until 1954.

In 1954, Mr. Weaver was named the deputy commissioner of the New York State Division of Housing and from 1955 to 1959 served as the State rent administrator, New York. From 1960 to 1961 he was the vice chairman of the New York City Housing and Redevelopment Board.

Mr. Weaver became the Administrator of the Housing and Home Finance Agency in 1961, a position he has held since that time.

He is the author of "Negro Labor, A National Problem" (1946), "The Negro Ghetto" (1948), and "The Urban Complex" (1964).

He lives at 4600 Connecticut Avenue NW., Washington, D.C. Mr. Weaver is married to the former Ella V. Haith.

PROF. ROBERT C. WOOD

Prof. Robert C. Wood, a native of Jacksonville, Fla., is chairman of the Political Science Department at Massachusetts Institute of Technology. Born in St. Louis, Mo., on September 16, 1923, he served with the 76th Infantry during World War II. He received an A.B. from Princeton University in 1946. At Harvard University, he was awarded an M.A. in 1947, a master of public administration in 1948, and a Ph. D. in 1950.

From 1949 to 1951 he was associate director, Legislative Reference Bureau of the State of Florida. At the U.S. Bureau of the Budget from 1951 to 1954, Mr. Wood served as a management organization expert in the housing field.

Mr. Wood became a lecturer and then an assistant professor of government at Harvard University in 1954. In 1957, he left Harvard to join the faculty at MIT where he taught as an assistant professor of political science from 1957 to 1959, and as an associate professor from 1959 to 1962. In 1962, Mr. Wood was named professor of political science; and in 1965, he became the chairman of the Political Science Department at MIT.

He is a member of the Advisory Board of the National Capital Transportation Agency, the Committee for Economic Development, and the American Academy for Arts and Sciences. He was elected to Phi Beta Kappa while at Princeton.

He is the author of "Suburbia, Its People and Their Politics" (1958); "Metropolis Against Itself" (1959); "1,400 Governments, the Political Economy of the New York Region" (1960); and the coauthor of "School Men and Politics" (1962); and "Government and Politics of the U.S." (1965).

Mr. Wood lives on Trapelo Road, Lincoln, Mass., with his wife, the former Margaret Byers, and three children, Francis, Margaret, and Frank.

UNANIMOUS ELECTION OF GEORGE J. TITLER AS NEW INTERNATIONAL VICE PRESIDENT OF UNITED MINE WORKERS OF AMERICA

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

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

There was no objection.

Mr. KEE. Mr. Speaker, I take delight in sharing with my colleagues the good news of the unanimous election of my valued friend, Mr. George J. Titler, of Beckley, W. Va., as the new international vice president of the United Mine Workers of America by the international executive board last Saturday.

A veteran of World War I, Mr. Titler has devoted his entire life working on behalf of the members of the United Mine Workers.

I first met Mr. Titler in 1942 at the time he assumed the responsibilities as the president of district No. 29 of the United Mine Workers, with headquarters in Beckley.

During these years, I have, with my own eyes, observed his dedicated work and outstanding contributions to the men who mine our coal. He is well known and unchallenged as an unsurpassed speaker for the principles in which he so firmly believes.

He has been a true friend and I highly commend President W. A. "Tony" Boyle and the members of the executive board for their wise selection.

In his new post of added responsibilities, I am firmly convinced that the coal miners of our Nation will benefit from his experience and his continuing dedication to duty.

ELIMINATE THE MEDICARE DISCLAIMER

Mr. RYAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. RYAN. Mr. Speaker, on the opening day of this session of Congress I introduced a bill (H.R. 11922) that would strike out provisions in the Social Security Amendments of 1965—the medicare bill—on which the Department of Health, Education, and Welfare has based a decision to require some 2 million Americans, aged 65 and over, to sign and file a disclaimer of membership in the last 12 months in any organization required to register under the Internal Security Act of 1950.

H.R. 11922 amends the Social Security Amendments of 1965 by eliminating the provisions which deny hospital insurance benefits to uninsured individuals who are members of certain organizations and by eliminating the provisions which deny supplementary insurance benefits to persons who have been convicted of certain offenses.

It is my belief that disclaimer affidavits and loyalty oaths are an infringement of the rights of free Americans.

I am delighted that the New York Times, in an editorial published today, vigorously supports this legislation. I commend to my colleagues the New York Times editorial, which follows:

LOYALTY OATHS AGAIN

The Federal requirement that certain elderly people take loyalty oaths as a condition for obtaining medicare benefits is repugnant and should be rescinded. The provision affects the 2 million uninsured by social security who will receive aid from the general fund rather than from the social security tax fund, and applies only to those receiving hospital care, not the separate voluntary medical insurance that helps pay doctors' bills.

In a democratic society where free thought and speech are constitutionally guaranteed, loyalty oaths—as distinct from the normal oath of office taken traditionally by public officials—are an affront to individual dignity, carrying the implication of disloyalty unless one makes the special affirmation.

Furthermore, they are useless; for what genuine subversive would hesitate to swear loyalty if to do so served his purpose? Only the conscientious are likely to be the victims. A byproduct in the McCarthy heyday of loyalty oaths was that many thinking people in such fields as teaching and the sciences simply bowed out rather than subject themselves to this humiliation.

Communist disclaimers have been incorporated time and again in all manner of programs for the granting of privileges, awards, and employment, yet to this day there remains no evidence that they have safeguarded the Nation from subversion. Representative WILLIAM F. RYAN, of New York, has introduced legislation which would strike them permanently from the medicare machinery. His bill should be passed while the program is taking shape for its launching July 1. The noninsured elderly are already enrolling and taking loyalty oaths; the fewer who must be subjected to this discriminatory obligation, the better for all of us.

COMMITTEE ON SCIENCE AND ASTRONAUTICS

Mr. MILLER. Mr. Speaker, I ask unanimous consent that the Committee on Science and Astronautics be permitted to sit during the sessions of the House on the 25th and 26th of this month, during the meetings of the Scientific Panel.

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

There was no objection.

ASIAN BANK DEVELOPMENT BILL BEING INTRODUCED IN HOUSE

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. PATMAN. Mr. Speaker, I am introducing in the House an Asian Development Bank Act which provides for the participation of the United States in the proposed Asian Development Bank. It is as follows:

H.R. —

A bill to provide for the participation of the United States in the Asian Development Bank

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

SHORT TITLE

SECTION 1. This Act may be cited as the "Asian Development Bank Act."

ACCEPTANCE OF MEMBERSHIP

SEC. 2. The President is hereby authorized to accept membership for the United States in the Asian Development Bank (hereinafter referred to as the "Bank") provided for by the agreement establishing the Bank (hereinafter referred to as the "agreement") deposited in the archives of the United Nations.

SEC. (a) The President, by and with the advice and consent of the Senate, shall appoint a Governor of the Bank, an alternate for the Governor, and a Director of the Bank.

(b) No person shall be entitled to receive any salary or other compensation from the United States for services as a Governor or Alternate Governor. The Director may, in the discretion of the President, receive such compensation, allowances, and other benefits as, together with those received by him from the Bank, will equal those authorized for a Chief of Mission, Class 2, within the meaning of the Foreign Service Act of 1946, as amended.

SEC. 4. (a) The policies and operations of the representatives of the United States on the Bank shall be coordinated with other United States policies in such manner as the President shall direct.

(b) An annual report with respect to United States participation in the Bank shall be submitted to the Congress by such agency or officer as the President shall designate.

SEC. 5. Unless the Congress by law authorizes such action, neither the President nor any person or agency shall, on behalf of the United States, (a) subscribe to additional shares of stock of the Bank; (b) vote for or agree to any amendment of the agreement which increases the obligations of the United States, or which would change the purpose or functions of the Bank; or (c) make a loan or provide other financing to the Bank, except that loans or other financing may be provided to the Bank by a United States agency created pursuant to an Act of Congress which is authorized by law to make loans or provide other financing to international organizations.

DEPOSITORIES

SEC. 6. Any Federal Reserve bank which is requested to do so by the Bank shall act as its depository or as its fiscal agent, and the Board of Governors of the Federal Reserve System shall supervise and direct the carrying out of these functions by the Federal Reserve banks.

PAYMENT OF SUBSCRIPTION

SEC. 7. (a) There is hereby authorized to be appropriated, without fiscal year limitation, for the purchase of 20,000 shares of capital stock of the Bank, $200 million.

(b) Any payment made to the United States by the Bank as a distribution of net income shall be covered into the Treasury as a miscellaneous receipt.

JURISDICTION AND VENUE OF ACTIONS

SEC. 8. For the purpose of any civil action which may be brought within the United States, its Territories or possessions, or the Commonwealth of Puerto Rico, by or against the Bank in accordance with the agreement, the Bank shall be deeemd to be an inhabitant of the Federal judicial district in which its principal office or agency in the United States is located, and any such action to which the Bank shall be a party shall be deemed to arise under the laws of the United States, and the district courts of the United States, including the courts enumerated in Title 28, sec. 460, United States Code, shall have original jurisdiction of any such action. When the Bank is a defendant in any action in a State court, it may, at any time before the trial thereof, remove such action into the district court of the United States for the proper district by following the procedure for removal of causes otherwise provided by law.

STATUS, IMMUNITIES AND PRIVILEGES

SEC. 9. The agreement, and particularly Articles 49 through 56, shall have full force and effect in the United States, its Territories and possessions, and the Commonwealth of Pureto Rico, upon acceptance of membership by the United States in, and the establishment of, the Bank. The President, at the time of deposit of the instrument of acceptance of membership by the United States in the Bank, shall also deposit a declaration that the United States retains for itself and its political subdivisions the right to tax salaries and emoluments paid by the Bank to its citizens or nationals.

SECURITIES ISSUED BY BANK AS INVESTMENT SECURITIES FOR NATIONAL BANKS

SEC. 10. The last sentence of paragraph 7 of section 5136 of the Revised Statutes, as amended (12 U.S.C. 24), is amended by striking the word "or" after the words "International Bank for Reconstruction and Development" and inserting a comma in lieu thereof, and by inserting after the words "the Inter-American Development Bank" the words "or the Asian Development Bank".

SECURITIES ISSUED BY BANK AS EXEMPT SECURITIES; REPORT FILED WITH SECURITIES AND EXCHANGE COMMISSION

SEC. 11. (a) Any securities issued by the Bank (including any guarantee by the Bank, whether or not limited in scope) in connection with raising of funds for inclusion in the Bank's ordinary capital resources as defined in article 7 of the agreement and any securities guaranteed by the Bank as to both principal and interest to which the commitment in article 6, section 5, of the agreement is expressly applicable, shall be deemed to be exempted securities within the meaning of paragraph (a)(2) of section 3 of the Act of May 27, 1933, as amended (15 U.S.C. 77c), and paragraph (a)(12) of section 3 of the Act of June 6, 1934, as amended (15 U.S.C. 78c). The Bank shall file with the Securities and Exchange Commission such annual and other reports with regard to such securities as the Commission shall determine to be appropriate in view of the special character of the Bank and its operations and necessary in the public interest or for the protection of investors.

(b) The Securities and Exchange Commission, acting in consultation with such agency or officer as the President shall designate, is authorized to suspend the provisions of subsection (a) at any time as to any or all securities issued or guaranteed by the Bank during the period of such suspension. The Commission shall include in its annual reports to Congress such information as it shall deem advisable with regard to the operations and effect of this section and in connection therewith shall include any views submitted for such purpose by any association of dealers registered with the Commission.

Mr. Speaker, the House Banking and Currency Committee will consider this legislation as its next item of business.

"THE 'VOICE' SPEAKS: ALL MUST PAY MORE FOR THE BANKERS' PRODUCT"—AN ANALYSIS OF THE FEDERAL RESERVE BOARD'S INTEREST RATE HIKE

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. PATMAN. Mr. Speaker, our former colleague in the House, Jerry Voorhis, has distinguished himself as a champion of the consumer for many years. Jerry Voorhis was an outstanding spokesman and fighter for the consumer when he served as a Congressman from California, and he has continued his invaluable service to the "little man" of the country as executive secretary of the Cooperative League of the U.S.A.

He has been a consistent opponent of the consumer's No. 1 enemy—high interest rates. Following the Federal Reserve Board's decision to raise interest rates on December 3, Jerry Voorhis analyzed in dramatic and eloquent terms what this action means to the consumer and to the economy as a whole.

The analysis appeared in "The People's Business," a feature service distributed by the Cooperative News Service. I insert a copy of this excellent document in the RECORD:

THE "VOICE" SPEAKS: ALL MUST PAY MORE FOR THE BANKERS' PRODUCT—I

(By Jerry Voorhis)

Once more the voice has been heard in the land.

It is the voice of the greatest special privilege ever granted by any nation to any group of private citizens in all history.

It is a voice to which the wise men of the country, almost all the newspapers and commentators, the Secretary of the Treasury, and even the President of the United States listen and bow their heads and genuflect.

The voice says:

"This country is too prosperous."

"There is too much money in circulation."

"Unemployment has been reduced and some industries are producing at or near capacity."

"The value of money has been going slowly down and the money value of goods and services has been going slowly up."

"These things must not be." So sounds the voice, the voice of the Chairman of the Federal Reserve Board.

From one point of view, these things which have been happening are bad. From every other point of view they are good.

They are bad from the point of view of the banks, which have—wrongly—been given the privilege of creating the money of this supposedly "sovereign" nation.

They are good from the point of view of the workers who were unemployed but who now have jobs again. They are good from the point of view of farmers, manufacturers, merchants, everybody that produces or sells goods.

But as has happened so often when the single interest of the private creators of money clashes with the interest of all the rest of the people in the country, the interest of the bankers has prevailed.

It has prevailed not through any act of Congress or the President or the Secretary of Treasury or anybody else who is responsible to the people of this country.

The bankers have prevailed because their own private "government," the Federal Reserve Board, which is accountable to no one but itself and the private banks which own the Federal Reserve Banks, has so decreed. (The only sense in which the Federal Reserve Board can be said to be accountable to any public body is that Congress could, of course, amend or repeal the law that created the Federal Reserve System.)

Even the Federal Reserve Board voted only 4 to 3 for the increase in interest rates.

Four-sevenths of a group of private bankers responsible to nobody but private bankers for their actions has decided that:

1. Interest rates throughout the country shall be about 10 percent higher than they are now. (They increased the Federal Reserve's discount rate from 4 to 4½ percent—an 11-percent increase.)

2. Every home shall cost about 10 percent more than it does now.

3. Every farmer must repay his debts in money that is about 10 percent harder to get and worth 10 percent more than when he borrowed it.

4. The cost of everything we buy or use shall go up about 10 percent because the cost of money or credit is the one element that enters into the cost of almost everything we buy or use in all our economic life.

5. The taxpayers of the Nation shall be forced to pay at least $1 billion more in interest on the national debt than they do now.

6. And every piece of household furniture, every washing machine, every automobile, every other thing bought on credit shall cost the family that buys it—rich or poor—some 10 percent more than it does now. And this will happen not because any of these goods are actually worth a single penny more than they were before, but solely because four private bankers say it must—four out of seven on a Federal Reserve Board which can control the whole Nation's economic fate.

RESERVE BOARD'S ACTION MAKES MONEY-LENDING MORE PROFITABLE—II

(By Jerry Voorhis)

William McChesney Martin, Jr., who has just told the President of the United States to go sit in a corner, has an excuse. Yes. The four out of seven members of Mr. Martin's Federal Reserve Board have their standard excuse for the blow they have struck at the Nation's economy.

It is the same excuse that the Federal Reserve Board used in May of 1920 when it deliberately caused a deflation of the currency so severe that America's agriculture was plunged into a depression from which it did not recover until the middle of World War II.

It is the same excuse that was used in 1938 when most of the gains in economic activity which had been accomplished during the preceding 5 years of the Roosevelt administration were wiped out in a couple of months.

It is the excuse that "We must curb inflation."

Everybody is supposed to remember the disastrous inflation that took place in Germany after World War I. And the inflation recently suffered in Brazil. Then everybody is supposed to become frightened and to say, "Oh, yes. By all means we must curb inflation."

But still it seems a bit odd, if we really wish to "curb inflation," to adopt measures that will absolutely assure the sharp inflation of every price and cost in the entire economy of the Nation.

This hardly seems a sensible way to prevent inflation of prices or costs.

But it does make money more valuable in terms of all real wealth. And it will make all real wealth less valuable in terms of money.

Which is the real reason why it is done.

But it is a reason involving so many undesirable implications that hardly anyone—least of all the Federal Reserve Board—ever talks about it.

Another reason is being alleged. It is being suggested that the raising of interest rates will discourage American investors from investing their money abroad and cause them to invest at home, thus correcting the balance of payments. But the result, the immediate result of the action, has been to cause a slump in the stock market and in the value of almost all American securities. This is a strange way indeed to encourage investment in these sound American securities.

No. The reason for this Federal Reserve Board action is rather simple. It is taken to increase the value of money and reduce the value of everything else in our economy.

Who would want to do such a thing?

The people who deal in money, who have money to sell at interest, who indeed have the privilege of creating new money and drawing upon the credit of the entire Nation and all its people to give value to that newly created money.

If you are in the business of creating and lending money, as the commercial banks and the Federal Reserve banks are, then quite obviously if you can get a 4-to-3 decision to increase your income by 10 percent, all of a sudden, it's a very good thing to get done for you.

But from the viewpoint of the Nation as a whole, one or two sobering thoughts occur.

One is that every single depression or recession which we have ever suffered has been preceded by a period of shortage in the money supply. And many people believe that, far from having increased too rapidly, our money supply in very recent years has not been increasing fast enough and that this is the reason for our persistent unemployment, for the failure of many industries to operate at anywhere near their capacity, and for the flow of investment funds out of the country.

Another thought is that a number of other countries, notably Japan and Western Europe, have experienced much more rapid growth rates since the close of World War II than has the United States. And in every one of those countries the key to that rapid growth has been monetary policies which have assured a growth in the money supply which was always a little ahead of the growth of industry and commerce. In other words, these countries have brought about, quite deliberately, a controlled expansion of their money.

Some people—four-sevenths of the Federal Reserve Board among them, no doubt—might call this an inflation. But certainly it has not been a harmful inflation. Indeed, the question arises as to whether the price our country is being asked to pay to curb a bogey of inflation may not be altogether too great a price. And whether, from the point of view of everyone except the dealers in money, it might not have been better to reduce the rates of interest instead of increasing them.

THE BANKERS HAD A BETTER, SAFER CHOICE—III

(By Jerry Voorhis)

To understand the full significance of the recent action of four-sevenths of the Federal Reserve Board in boosting interest rates, it is necessary to examine the strange phenomena of what is called the monetary system of the United States.

It hardly deserves the name of a "system," for it is based upon no reason or logic or justice or economic wisdom.

Most of the so-called money of the United States consists of what we call bank credit. Most of our business transactions are carried on not by exchange of cash but by the drawing of checks. "Money in circulation" is regularly defined as "cash plus demand bank deposits." And seldom does the cash amount to more than a fifth or a quarter of the "demand bank deposits." In December 1964, for example, our total money supply as reported by the Federal Reserve Board consisted of $34.2 billion of currency and $125.2 billion of demand deposits.

But the really important factor is how our money is created. For it is obvious that as our economy grows and our production and commerce increase, there must be additional money brought into circulation to accommodate the increased volume of business. And indeed this was the stated purpose of Congress when it passed the Federal Reserve Act in the administration of Woodrow Wilson.

Many people think the Government of the United States creates the money of our Nation—as indeed it should and as the Constitution provides.

But the Government does no such thing—except for the pennies and dimes and quarters which we use for change.

All the rest of our money is created by the private banking system. It is possible for the private banks to create money in the form of demand bank deposits because of what is called the fractional reserve system.

This means that if a bank has $10 million of demand deposits on its books—that is, if it owes its depositors $10 million which they think they have in the bank—then the bank is required to have in actual cash money not $10 million but only perhaps $1 million or $1,500,000 or at most $2 million. The exact amount of cash reserves which banks must have behind the demand deposits on their books is decided by the Federal Reserve Board and is called the reserve requirement. It may be 10 or 13 or 15 or 20 percent. It is never more than 20 percent, usually much less.

Consequently, if a bank has actual cash deposits in its vaults of $1 million and the reserve requirement is 10 percent, it can have on its books as much as $10 million to the credit of holders of its "demand bank deposits." In such a case it can create some $9 million of new money that did not exist before. It can do this by giving the borrowers checking accounts and entering on its books demand deposit credits for those borrowers. Furthermore, if it finds itself in need of additional reserves it can usually borrow them from the Federal Reserve bank in its district.

Now the proper definition of money inflation, as distinguished from price or cost inflation is this: Monetary inflation takes place when the amount of money in circulation is increasing faster than the flow of goods and services to be bought with money is increasing.

And under our so-called fractional reserve system, the way we get inflation is that the banks create more new demand deposits than are needed to keep up with the growth of the economy and the flow of trade.

The theory then of curbing inflation by increasing interest rates is that if the interest rates are higher fewer borrowers will borrow from the banks and the banks will therefore create less new money in the form of demand deposits.

But even if this works, it involves so many undesirable effects that a very heavy burden of proof should rest upon anyone taking such a step. It should be taken only by a body which has a direct responsibility to the American people and which is subject to the duly elected representatives of the people.

The Federal Reserve Board is neither so responsible nor so subject. And this is why Congressman WRIGHT PATMAN, chairman of the Banking and Currency Committee of the House of Representatives, has introduced legislation which would make the Federal Reserve banks national institutions as they should be and make the Federal Reserve Board a body responsible to the Nation's duly elected administration.

Furthermore, even assuming that there is a real danger of inflation—a thesis far from proved at present—there is another very obvious remedy available to the Federal Reserve Board. This remedy is to increase the reserve requirements in the banks.

Such action would have the immediate effect of reducing the ability of the banks to create money. If they had to have, let us say, a 20-percent reserve instead of a 10-percent reserve, this would mean that their ability to create new demand deposit, or checkbook, money would be cut in two.

Why is this remedy not used by Mr. Martin and his three companions? Only they can answer that question. But increasing reserve requirements would be even more certain to curb any threat of monetary inflation that might possibly exist. The one thing, however, which it would not do would be to cause the value of money to go up and the monetary value of real wealth to go down. It, therefore, would not give the kind of bonanza to the creators of our money supply which increasing interest rates gives.

Could this be the reason why the four did not choose this course?

One additional question arises. How long should we wait to establish for our country a sound, effective monetary system, one wherein money would be created by the only agency which has a right to exercise that power—the Government of the Nation—and one wherein the possibility of either inflation or deflation could be forever prevented?

COOPERATIVES KEEP INTEREST DOWN, HELP WHOLE ECONOMY—IV

(By Jerry Voorhis)

Certain financial institutions in the United States probably won't raise their interest rates even though the Federal Reserve Board has given them an excuse to do so.

The ones that won't raise their rates if they possibly can avoid it are cooperative financial institutions—the ones that belong to their borrowers.

The reason they won't raise their rates is that they will not want to. They'd hurt their owners if they did.

Credit unions, cooperative farm credit institutions, and mutual savings banks are in business to reduce the burden of debt, not to increase it. They exist because groups of people have created them to help each other by owning together the savings and lending institutions they need. These consumers of credit are not interested in raising interest rates to make more money for investors.

Credit unions did not raise their interest rates a few years ago when the Federal Reserve Board took action similar to that recently taken. This was because credit unions are in business to help their members reduce the burden of debt—not to increase it. Their motive is different.

Banks for cooperatives and other cooperative farm credit institutions raised their rates only slightly—because they get part of their money for making loans by sale of debentures in the money market. But even if cooperative farm credit institutions do raise interest rates somewhat, the net effect upon their owner-borrowers may not be to increase the cost of credit at all. For if as a result of the higher rates a bank for cooperatives, production credit association, or Federal land bank association increases its earnings, those earnings all belong to the borrower-owners and will be returned to them in patronage refunds. So the net interest rate may not be increased at all.

The difference lies in motive. If the motive, the reason for being in business is service and mutual aid, then a financial institution will keep its interest rates as reasonable as it can. And in so doing, such institutions are certain to exert a very beneficial competitive influence—for the protection of all borrowers, even those who borrow from investor-owned institutions.

The very fact that cooperative financial institutions are in existence provides our entire Nation with the best protection it can have at present against really extortionate interest rates. And they provide that protection in the best way it can be provided in a supposedly "free" economic order. That way is by the competition of businesses whose motive is mutual aid and the service of people.

HOUSING GROUPS EXPRESS BITTER DISAGREEMENT WITH FEDERAL RESERVE BOARD

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. PATMAN. Mr. Speaker, last week the Housing Subcommittee of the Banking and Currency Committee conducted an important hearing into the effects of rising interest costs on home buyers and home builders. My good friend and colleague from Pennsylvania, BILL BARRETT, who is chairman of the subcommittee, is to be commended for undertaking a study of an issue so vitally affecting millions of Americans.

Without question, the homeowners and would-be homeowners were a forgotten group when the Federal Reserve Board decided in secret on December 3 to raise interest rates. The Federal Reserve's action threatens to place a massive veto on the Nation's housing programs and threatens to place decent housing out of the reach of many citizens.

Rising interest costs and a tightening money supply always hit the home buyer and the building industry hard. For example, a 1-percent increase in the interest rate on a $20,000 home adds more than $4,700 in interest costs over the life of a 30-year loan. With the national median income at $4,600, this means that many wage earners will have to contribute a year's income just to pay the added interest costs.

Nearly everyone in the housing field is deeply concerned about the implications of the Federal Reserve's recent action. The National Housing Conference has denounced the Federal Reserve Board's action in forthright terms. I place in the RECORD a copy of a resolution adopted by the Board of Directors of the National Housing Conference on December 13, 1965:

Resolved, That the Board of Directors of the National Housing Conference in regular quarterly meeting assembled on December 13, 1965, shares the concern expressed by President Johnson on the impact of the Federal Reserve Board's action in increasing the discount rate, particularly on the housing economy.

This further impetus to rising interest rates cannot fail to have an adverse effect on housing production and financing. It will mean increased costs to the consumer and a tighter mortgage market, and could result in a serious slowdown in homebuilding in the coming year.

This is no time to allow housing production to drag. Congress has given the President a far-reaching set of programs to bring our production of good housing closer to our rising needs and to speed up the improvement and redemption of our urban areas. It has established a consolidated agency to effectuate this mission by creating the Department of Housing and Urban Development.

We must not now erase these hopes by diverting and denying adequate financing to the housing market and the people who need housing. Already, as interest rates have risen, the annual homebuilding rate by October had declined to the lowest point since January 1963. We must reverse this trend, not accelerate it.

We urge the President and the Congress to take such actions as may be necessary to assure an ample flow of mortgage financing at reasonable rates into housing production. We recommend that the President make full use of the new and expanded programs for housing for the low- and moderate-income group, as contemplated in the 1965 legislation, and to implement these programs administratively as quickly and fully as possible. We recommend also that the Congress, as it did in 1958, give the President standby authorization for the purchase of mortgages on the private market at the present interest rates through the Federal National Mortgage Association to counter any decline in housing production as the spring building season gets underway. Any setback in the housing economy at this time would have serious and costly consequences for the Nation for years to come.

LEADING EDUCATOR, DR. ROBERT M. HUTCHINS, WARNS THAT "INDEPENDENT" FED LIMITS DEMOCRACY

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. PATMAN. Mr. Speaker, many important voices are being raised against

the Federal Reserve Board's unwarranted action of December 3, 1965, which imposed another round of high interest costs on the country. Among these is the distinguished and highly respected educator Robert M. Hutchins, former chancellor of the University of Chicago who is now head of the Fund for the Republic, Inc. His remarks appeared in a recent issue of the Los Angeles Times, entitled "Another Look at Interest Rates." His column follows:

ANOTHER LOOK AT INTEREST RATES

(By Robert M. Hutchins)

Three courses, I have suggested, are open to the country if it wants to prevent the economy from overheating as a result of the war in Vietnam.

The first is to stop the war. The second is to raise taxes. The third is to increase interest rates by the action of the Federal Reserve.

If it is impossible to stop the war, the equitable and democratic procedure is to raise taxes. This can be done only by the elected representatives of the people. It can be done with a view to the just distribution of burdens. The rate and incidence of taxation can be made a matter of intense public debate.

Nothing of this sort applies to the increase of interest rates by the Federal Reserve. The board is not responsible to the people. It is not elected by them. No President can be sure it will follow the policies of the Government; and it may make the execution of those policies impossible. It may prevent the adoption of an integrated economic program. It may disregard public discussion of fiscal problems and public criticism of its decision.

Yet these decisions are vital to the well-being of the people. To deny the representatives of the people a voice in them is to limit the scope of democracy.

The only certain beneficiaries of an increase in interest rates are the banks. They benefit by a higher price for what they have to sell. The losers are those who need what the banks have to sell, those who need money to build something, to develop something, or simply to live.

It must be more than a coincidence that on one day it was announced that construction permits had taken the severest downturn in 10 months and on the next Standard & Poor's predicted an average increase of 6 percent in the earnings of major banks.

No doubt there may be times at which a country will have to raise interest rates and taxes simultaneously. This may be one. The representatives of the people should decide. But in any case the agency fixing interest rates should be in fact a part of the Government and not a paragovernmental, nonresponsible group of experts.

All this seems clear enough, so clear that the bankers who have attacked me for saying it have not cared to argue these points. They have contented themselves with claiming that the Federal Reserve System has worked very well, forgetting that in 1933 it stopped working altogether. They say it has generated prosperity, a perfect example of the Chanticleer fallacy—the rooster believes the sun rises because he crows.

My friend Louis Lancaster, of the Santa Barbara National Bank, says of the Federal Reserve, "It has produced enough surplus wealth to relieve Mr. Hutchins of working with pick and shovel."

Two hundred years ago, long before the Federal Reserve was invented, Penuel Hutchins left the ancestral farm in Connecticut and became a doctor. Ever since that time his descendants have lived by their wits.

After the Federal Reserve was established, my Uncle Grosvenor became a banker. We were very polite to him: he was the most prosperous member of the family.

PROPOSED LEGISLATION TO ALLOW CREDIT AGAINST INCOME TAX TO CORPORATIONS FOR CONTRIBUTIONS TO COLLEGES AND UNIVERSITIES

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

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

There was no objection.

Mr. ASHMORE. Mr. Speaker, I am introducing today legislation which would allow a credit against income tax to corporations for contributions to colleges and universities.

This proposal is designed to encourage greater financial support for our higher educational institutions without Federal interference and control. The need for such financial support, in the face of booming enrollments, is obvious.

I introduce this legislation in order that it may receive the full attention of the Nation and the Congress; that it may be studied and discussed; that it may be considered by appropriate committees; and then I would hope that the Congress will act favorably on the legislation.

Whenever the Nation can afford to act again in the field of higher education assistance, I feel that the approach embodied in this bill should be incorporated into our programs.

The Congress has already authorized corporations to contribute up to 5 percent of their income for, among other purposes, educational purposes as a tax deduction. Unfortunately, this has not met the problem; it does not provide the needed remedy. It has not induced that level of corporate giving that is demanded. The reason is obvious. Under this legislation, the corporation actually receives credit for only one-half of its gifts.

I propose that, instead of permitting a mere income deduction, the corporation be given full credit against its tax bill for all gifts for educational purposes up to 2½ percent of its tax liability. This is what the Congress has already authorized, except that there must be a matching by the corporation. Under this proposal of mine, the matching requirement is eliminated. And since the gift is treated as a credit against the tax itself, the corporation has every incentive to make the gift. It actually loses nothing from the making of the gift. It either pays the sum in taxes to the Government or it gives it to an educational institution of its own choosing for a purpose determined by it. It is difficult to see why any corporation will elect not to exercise this choice.

It is thus reasonable to believe that practically every corporation will avail itself of this right. At present levels of corporate income, this would mean a fund of about three-quarters of a billion dollars annually available from private giving for the benefit of the educational institutions of this Nation.

And since such fund will be contributed by private corporations, it will be free from constitutional objectives or reservations about the separation of church and state. It will involve no threat of governmental control of an educational institution. The separation of church and state will not be violated. The argument over governmental support of a sectarian institution will be avoided.

So I offer it as a means of giving to the colleges and universities in this Nation more options and broader opportunities, free from conscientious objections entertained by many.

GREAT WASTE OF MONEY IN PRINTING OF THE CONGRESSIONAL RECORD

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

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

There was no objection.

Mr. JONES of Missouri. Mr. Speaker, in the 1st session of the 89th Congress many records were set. While many Members will point with pride to some of these records, I believe there is one record, however, that few Members would care to share the responsibility for, or to advocate that this second session should surpass. I am referring to the great waste of money in the printing of the CONGRESSIONAL RECORD, which, over the years, has deteriorated to the extent that it is no longer an accurate record of proceedings and debates of the Congress. No longer can any reader be assured that the CONGRESSIONAL RECORD reflects what actually occurs in either Chamber of Congress. The body of the RECORD has become the dumping ground for material that I once described as "trash, tripe, and trivia," which found its way into the Appendix of the RECORD by unanimous consent. There are apparently no rules of reasonableness, which once prevailed. While I deplore the great waste of public funds, which amounted to roughly $3½ million for the printing of the CONGRESSIONAL RECORD during the 1st session of this 89th Congress, I have an ever greater interest in attempting to restore the accuracy and dignity which once prevailed in the preparation of this official publication of worldwide distribution.

Mr. Speaker, I feel that the individual Members have an obligation to protect and defend the integrity of Congress, and certainly the least we can do is to insist that the CONGRESSIONAL RECORD be a true and accurate record of what actually happens in the Congress. You will recall, Mr. Speaker, that 2 years ago I waged a one-man campaign, of short duration and highly unsuccessful, by resorting to the unpopular procedure of objecting to many unanimous-consent requests, in order to emphasize the point I am trying to make today. I

was not successful then, and have little reason to believe that I will be any more successful today, but I hope that those who share my views that we should strive for accuracy, integrity, and economy, and who are opposed to fraud and deception, will understand that these remarks are intended to be constructive, and will lend their cooperation in restoring accuracy and sanity to the RECORD.

VIETNAM COSTS VERSUS DOMESTIC PROGRAMS

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

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

There was no objection.

Mr. CEDERBERG. Mr. Speaker, President Johnson indicated in his state of the Union message that the war in Vietnam is no reason to hold the line on spending for domestic programs. He inferred that those of us who have a concern about increased spending at this time for domestic programs that can be deferred are calloused in our concern for human needs.

The Defense Department for years has indicated to Congress the continuing need for military family housing. Defense Department testimony before our Military Construction Appropriation Subcommittee indicates we have several thousand military families living in substandard housing, some in deplorable condition.

In spite of these facts the Defense Department deferred construction of the 8,500 military family houses approved by this Congress last year. Obviously this was done because of our increasing requirements for expenditures in South Vietnam.

The policy appears to be guns and whipping cream for the civilian economy but only guns with a little skimmed milk for our military families.

Why this obvious discrimination, Mr. President?

If pressing housing needs for military families can be deferred, is it unreasonable to expect similar restraint be required of the rest of our economy?

NEW YORK'S TRANSIT CRISIS: THE COSTLY POLITICS OF L.B.J.

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

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

There was no objection.

Mr. WIDNALL. Mr. Speaker, this morning's papers carry an estimate by the Commerce and Industry Association of New York City that the recent illegal transit strike in that metropolitan area cost $1 billion, and less than 25 percent of that will never be recovered. The majority of this cost fell upon those businesses who had to pay for work never performed since their employees could not get to work and those employees who lost wages during the 12-day period because they could not get to work, plus the hundreds of small retail establishments. In all cases, the greatest burden will have fallen on those least able to afford it; the low-income worker and the small businessman.

Nor does this take into account the future cost as a result of the strike settlement, a settlement that the New York Times has correctly called "a compromise accommodation made under duress" on the part of city officials. Someone is going to have to pay for the settlement, and it will either have to come out of the fare box, in which case it will be paid for by those who have suffered the most from the strike already, or through some kind of public subsidy. The latter, if it occurs, will probably be shared by the taxpayers of the city, State, and Nation.

It is an unfortunate fact that the President of the United States, after making no effort to prevent the damage, has broadened its impact by his after-the-fact lament condemning the final settlement. It will be recalled that at no time during the 12-day strike was there a word from the President, Secretary of Labor Willard Wirtz, or the Chairman of the President's Council of Economic Advisers, Gardner Ackley, condemning the wage demands of the transit union as out of line with the administration's own wage-price guidelines as has so firmly been done with price increase proposals on the part of business. At no time did any Johnson administration figure speak out against the union defiance of the laws and the courts of the State of New York. Then, in what the New York Times has described as a "blatantly political" comment, the President took the city of New York to task without one word about the cause of it all.

It may be possible to assess the damage this strike caused to the people of New York and the surrounding metropolitan area, and to estimate the future costs of the settlement. The damage to the judicial and moral structure of the Nation's largest city and second largest State, and the injury to the image, prestige, and effectiveness of the Presidency as an unbiased umpire in the economic arena, however, are incalculable. I hesitate to even mention the possible impact on the national interest should the New York transit strike be used as an example and as a signal for similar crisis in other parts of the country.

I include at this point an editorial from the New York Times of January 15, 1966, an editorial from the New York Herald Tribune of January 15, 1966, and an article from the New York Times of January 17, 1966. I would also like to call attention to the press release that follows these newspaper articles which contains the joint statement by Congressman THOMAS B. CURTIS, of Missouri, and myself, calling on the President to take a firm position on the demands and actions of the union, which is dated January 9, 1966, several days before the settlement.

The articles and release follow:

[From the New York Times, Jan. 15, 1966]

POLITICS, THE L.B.J. WAY

Through all the 12 days that New York was crippled by a transit strike called in defiance of law and court order President Johnson had not a word of condemnation for the union leaders responsible for the exercise in economic blackmail of a city. Now that the siege has been lifted with a costly settlement, Mr. Johnson suddenly finds his voice, and censures New York for paying too high a price for its freedom.

The President is quite right in stating that the peace terms breach his anti-inflation guidelines. As we observed in these columns yesterday, none of the adroit arguments advanced in support of the pact by Dr. Nathan P. Feinsinger, chairman of Mayor Lindsay's special mediation board, could make it fit inside even an elastic interpretation of the guidelines. It was a compromise accommodation made under duress; and only the mayor's resolve not to "capitulate before the lawless demands of a single power group" prevented outright surrender.

If Mr. Johnson had seriously wanted to act against an inflationary settlement, he had ample opportunity to do so. On any one of the 12 days he could have denounced the strike as a threat to the national interest—which the Chairman of the President's Council of Economic Advisers, Gardner Ackley, now acknowledges it was—and he could have supported Mr. Lindsay in the mayor's unheeded call for arbitration, factfinding, or a retroactive contract extension. But the President did not choose to do so.

Such help from Mr. Johnson would have been doubly meaningful in the light of attempts by some elements in the old-time Democratic-labor cabal in this city to exploit the strike as an instrument for humiliating the new Republican-fusion mayor, thus hoping to kill his future political career.

Now that Mr. Lindsay and the city have survived the strike, the President contributes his meed toward discrediting the settlement. The blatantly political character of his comment is underscored by the continued absence of any direct criticism of the Transport Workers Union for its coercion of the community. He declares himself "quite disturbed that essential services could be paralyzed for so long"; but there is not a hint of who is to blame. Not a word about flouting the law and the courts, not a syllable about the damage to the moral and judicial structure of this, the largest city in the United States.

The President's remarks provide a discouraging setting for the recommendations he has promised to send to Congress to protect the public interest against such strikes. Reports from Washington indicate that his state of the Union pledge of tighter strike curbs was toned down before delivery in response to objections voiced by George Meany. If even the promise must be diluted before it gets to Capitol Hill, what real hope is there in this administration for effective protection for the public against public-service strikes?

[From the New York Herald Tribune, Jan 15, 1966]

A BIT LATE, MR. PRESIDENT

New York's transit strike was barely ended when President Johnson pronounced his anathema: "Candor requires me to say that I am quite disturbed that essential services could be paralyzed for so long, and I am equally concerned by the cost of the settlement (which) violates our national guideposts for noninflationary wage increases. I do not believe that any settlement that violates the guideposts to this extent is in the national interest."

We agree. But that bit of Presidential candor would have come with better grace and more effect a few days earlier. Soldiers who shun the battle make poor critics of its loss.

[From the New York Times, Jan. 17, 1966]

STRIKE LOSS HERE PUT AT $1 BILLION BY BUSINESS UNIT—COMMERCE ASSOCIATION ASKS FOR A RAISE IN FARE TO PAY FOR TRANSIT SETTLEMENT—MAYOR BACKED ON PACT—JOHNSON'S CRITICISM TERMED UNFAIR BY JAVITS—WIRTZ ASSAILED BY GILHOOLEY

(By Emanuel Perlmutter)

The Commerce & Industry Association estimated yesterday that the 12-day transit strike cost New Yorkers $1 billion and that "less than 25 percent will be recovered."

The association asked that the 15-cent fare be increased to help pay for the strike settlement, which has been estimated as costing between $52 and $70 million. The group also said it would ask Governor Rockefeller today to sponsor three tougher measures to bar strikes by public employees.

Ralph C. Gross, executive vice president of the association, outlined the group's stand during the WCBS-TV "Newsmakers" program and in an interview afterward.

JAVITS DEFENDS PACT

Meanwhile, two Republicans came to the defense of Mayor Lindsay in his controversy with the Democratic national administration over the strike settlement.

The agreement has been defended by Mr. Lindsay. But President Johnson and Labor Secretary W. Willard Wirtz have criticized it for being in excess of the 3.2 percent wage-increase guideline that the Federal administration deemed necessary to prevent inflation.

Senator JACOB K. JAVITS, of New York, just back from a 6-day day trip to South Vietnam, said that the President's criticism "wasn't fair." He made this comment after an appearance on the WABC-TV "Page One" program.

John J. Gilhooley, the only Republican on the three-man transit authority, restricted his criticism to Secretary Wirtz.

"I must say, as far as I'm concerned, it was not the bravest act of Mr. Wirtz's career to shoot our young mayor in the back after he'd made the difficult decision to raise New York from it knees," Mr. Gilhooley said on the WNBC-TV "Searchlight" program.

In discussing the Commerce and Industry Association's legislative request, Mr. Gross said the group would ask for three measures to amend or replace the Condon-Wadlin law, which he said had proved ineffective in barring strikes by public employees.

"We will ask for laws penalizing the leaders of a public union who call a strike, penalties against them if they threaten one and escalating fines against the union treasury if a strike takes place," Mr. Gross said.

The Condon-Wadlin law imposes job penalties against striking employees, but none against their union or its leaders. The leaders and union may however, be punished for violating court orders based on the law.

On the question of the strike losses, Mr. Gross said the major costs were in wages paid to workers who could not come in to work, to employees who received no pay because they did not work and to the hundreds of small retail establishments that lost purchases that would not be made later.

He estimated that more than 185 million man-hours of employment had been lost.

Mr. Gross said after the television program that the association believed that a fare increase was necessary to pay for the new transit contract.

"I personally believe it should be 25 cents, and that an increase to 20 cents would only meet the transit deficit for about 2 years," he added.

Senator JAVITS, in defending the size of the strike settlement, said that Mayor Lindsay "did all he could, he handled himself well." The Republican legislator said the strike resulted from "the failure of laws in State and Nation to deal with a situation of this kind."

Governor Rockefeller has promised to ask the legislature to provide $100 million in aid to New York City quickly to help it pay for transit needs.

However, legislation will be needed to give the city permission to transfer funds to the autonomous transit authority. Mr. Gilhooley said yesterday that he was convinced that such legislation would be passed.

WIDNALL AND CURTIS CHALLENGE ADMINISTRATION TO ACT IN NEW YORK TRANSIT STRIKE: CALL FOR CONGRESSIONAL INVOLVEMENT

Two senior Republican Members of Congress, Representatives WILLIAM B. WIDNALL, of New Jersey, and THOMAS B. CURTIS, of Missouri, challenged the Johnson administration to go on record in favor of a noninflationary wage settlement in the New York transit strike. They said the President's efforts to date would be of no help to the harrassed millions in the metropolitan area of New Jersey, Connecticut, and New York. WIDNALL, the ranking Republican on the House Banking and Currency Committee and cosponsor of the Mass Transportation Act of 1964, and CURTIS, the senior House Republican on the Joint Economic Committee, who both represent urban areas, said that the outcome of this strike could break the Johnson administration's own wage-price guidelines, and would have repercussions in Greater St. Louis and other metropolitan areas throughout the country where transportation is a problem. They called for congressional observers at the collective bargaining table to speed settlement, to check on the usefulness of the wage-price guidelines, and to seek possible legislative solutions to future collective-bargaining problems.

The text of their statement follows:

"The announcement by President Johnson that, as a result of the New York transit strike, he has urged Federal agencies to help relieve the suffering involved is nothing but a consolation prize for the harassed millions of Americans in the New York-New Jersey-Connecticut metropolitan area. In the first place, the programs he suggests using, the poverty program's small business loans, the regular small business loan and disaster loan program, home mortgages, and depressed areas legislation have the end result of only postponing or increasing an individual's debts. In the case of the small business loan program, it is so short of funds, and in such a state of chaos itself, despite a year's effort on our part to correct this situation, that it is doubtful if it can be of any immediate significant assistance. More importantly, however, the President's announcement completely ignores the basic problem which is to end an illegal strike by a union which has been demanding an excessive wage increase of 15 percent which would make a mockery of the President's own 3.2-percent wage-price guidelines.

"The same Johnson administration that made front page headlines by denouncing attempts by business to raise prices is strangely and mysteriously silent when it comes to excessive demands by labor. Apparently the guidelines are important, depending upon who they are supposed to guide. National labor leaders, who are so fond of lecturing Congress on excessive business profits, on mass transportation needs, on the problems of the workingman and the poor have not been heard from either. Yet here is a strike that materially hurts millions of other workers, that breaks the wage-price guidelines, that punishes the public, that is particularly hard on the low-income citizen who more than anyone else depends upon public transportation, and that is illegal to boot. We would challenge these labor leaders to use their influence to assist in obtaining a prompt, noninflationary settlement and a return to a rule of law and not of men.

"U.S. Labor Secretary Willard Wirtz has indicated to the press that there are few legal tools the President can use to push a responsible settlement. We agree that Congress has provided little authority for the President to act to control wages and prices, but that didn't bother the administration any when it used stockpile metal to roll back aluminum prices and threatened the shifting of defense contracts to force the so-called steel price compromise. Secretary Wirtz is obviously trying to set up the public to buy the idea that President Johnson's personal action will have generated a strike settlement even though it involves a wage contract in excess of the administration's own guideposts. Such a settlement would aversely affect millions of Americans in the New York, New Jersey, Connecticut metropolitan area who rely on adequate and inexpensive public transportation. If this can happen in New York, it can happen in greater St. Louis or any metropolitan area in the Nation.

"We believe the President, Secretary Wirtz, and the Council of Economic Advisers, headed by Chairman Gardner Ackley, have a responsibility to go on record immediately in favor of holding the line on inflation in the greater New York transit dispute, acting with the same vigor previously reserved only for the Nation's business community. In addition, we suggest that bipartisan congressional observers from the appropriate committees be invited to the negotiation sessions to see the wage-price guidelines in action and to learn what may need to be done in the way of legislation to break such impasses in the collective bargaining process. The congressional group could include, for example, members from committees involved in labor and transportation matters, as well as from the Joint Economic Committee. The mere presence of Members of Congress, should hasten a responsible settlement, which is what harassed Greater New York metropolitan area residents want most of all.

ANNUAL REPORT ON FOREIGN ASSISTANCE PROGRAM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed with illustrations.

To the Congress of the United States:

The annual report on the foreign assistance program of the United States for fiscal year 1965, which I here transmit, shows what Americans have done during the past 12 months to help other people help themselves.

The record of these months offers new testimony to our continuing conviction that our own peace and prosperity here at home depend on continued progress toward a better life for people everywhere.

In pursuit of that goal, we have, during this past year, placed new emphasis on the basic problem of securing more food for the world's population.

We have agreed to extend technical assistance to countries asking for help on

population programs. At the same time, our overseas missions have been directed to give priorities to projects for achieving better agriculture. Additional resources of our great universities have been applied to rural development efforts abroad, and we have moved to increase the nutritional value of food shipped overseas for children.

During these past 12 months we have *also:*

Begun to make education a more vital part of our assistance to other nations. Today, 70 American universities are engaged in the development of 39 Asian, African, and Latin American countries through this program.

Given our full support to development of a new life for the people of southeast Asia through a regional development program—a true and hopeful alternative to profitless aggression. We have made progress toward the establishment of an Asian Development Bank, and accelerated plans for development of the critical Mekong River Basin.

The 12 months covered by this report also reflect our progress toward making our aid programs both more realistic, and more efficient. For example:

Foreign assistance has become a smaller factor in our balance of payments. In fiscal year 1965, more than 80 cents of every AID dollar was spent for the purchase of American goods and services. American products and skills went overseas as aid; most of the dollars which paid for them stayed in this country.

Foreign aid has become a smaller burden on our resources. The $3.5 billion committed for military and economic assistance in fiscal year 1965 represented 3.5 percent of the Federal budget and one-half of 1 percent of the U.S. gross national product.

At the height of the Marshall plan, in comparison, foreign aid accounted for more than 11 percent of the Federal budget and nearly 2 percent of our gross national product.

Perhaps the most important single change in our AID programs has been the shift from simply helping other countries stay afloat to helping them become self-supporting, so that our assistance will no longer be needed.

Three-fourths of our AID program in fiscal year 1965 was devoted to development assistance: programs of technical and capital assistance in agriculture, industry, health and education that strengthen the ability of other nations to use their own resources.

Finally, private participation in AID programs is at an alltime high. Through contracts with American universities, business firms, labor unions, cooperatives, and other private groups, AID has sharply increased the involvement of nongovernmental resources in international development.

Two of every five AID-financed technicians in the field today are not Federal employees, but experts from private American institutions.

There is much in the less-developed world that causes us deep concern today: enmity between neighbor nations that threatens the hard-won gains of years of development effort; reluctance to move rapidly on needed internal reforms; political unrest that delays constructive programs to help the people; an uncertain race between food supplies and population.

We are right to be concerned for the present. But we are also right to be hopeful for the future. In this report are recorded some of the solid, human achievements on which our future hopes are based.

Whether it provides strength for threatened peoples like those in southeast Asia, or support for the self-help of millions on the move in Latin America, in Africa, in the Near East and South Asia, our foreign assistance program remains an investment of critical and promising importance to our own national future.

LYNDON B. JOHNSON.

JANUARY 17, 1966.

INTERNATIONAL COFFEE AGREEMENT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Ways and Means:

To the Congress of the United States:

This is the first annual report on the operation of the International Coffee Agreement required by section 5 of the International Coffee Agreement Act of 1965 (Public Law 89–23).

The International Coffee Agreement represents an important element of our foreign economic policy, especially as that policy is directed towards the problems of the less developed countries. Our participation in the agreement should help make it possible to avoid the sharp rises and falls in coffee prices that have adversely affected U.S. consumers and growers of coffee in foreign countries alike. Stability of prices will help those countries heavily dependent on coffee exports to plan for and carry out their economic development and diversification programs. The steady economic progress of these countries is, in turn, an important stimulus to a healthier and more stable political climate in each.

I believe that during 1965 the dual aims of the agreement—adequate supplies of coffee to consumers and markets for coffee to producers at equitable prices—have been met. I am also confident that the Congress will view with satisfaction the spirit of international cooperation that has increasingly come to characterize the operation of this agreement. The passage of the International Coffee Agreement Act permitted its implementation for the year that began October 1, 1965. The results to date justify our confidence that the agreement will further advance the national interest of the United States.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 14, 1966.*

THE PRESIDENT'S 1966 ECONOMIC REPORT

Mr. PATMAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of Senate Joint Resolution 125, which passed the Senate on Friday last.

The Clerk read the title of the resolution.

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

Mr. CURTIS. Mr. Speaker, reserving the right to object—and I shall not object—I should merely like to make two observations. First, it does not seem to me that the proposed action is necessary. Second, laws are made to be obeyed and not to have exceptions constantly made. I do not know why this administration cannot conform to the law. I understand the argument advanced is that without the proposed action the economic report would precede the budget report.

This could occur without creating any great difficulty. Furthermore, the proposed delay puts the Joint Economic Committee in a position of having to delay its report to the Congress too.

Essentially, I wish that the administration would make a greater effort to abide by the laws we have written. If the laws are inadequate, let us change them. But let us not change these dates, put in after consideration and made a part of a law.

I know that the economic report is presently available. It could come out by January 20. But, as I say, I will not object, because I believe this a housekeeping matter. The administration should have this authority, if it wants it; but I should like to grant this reqest for delay with a little bit of rebuke.

Mr. HALL. Mr. Speaker, will the gentleman yield under his reservation?

Mr. CURTIS. I yield to the gentleman from Missouri.

Mr. HALL. I should like to ask my distinguished colleague from Missouri, a member of the Joint Economic Committee as well as the Ways and Means Committee, and whose opinion I hold most highly, two questions:

First. I should like to know if there is any particular reason why the resolution should not be read in full instead of just by a title, and why in fact there should not be colloquy and debate on the value of such a resolution, albeit already passed by the other body of this Congress.

Second. I should like to know whether, in the gentleman's opinion, which as I say I value; this would have any adverse effect on our economy—for example, the stock market—if we should reverse the order of reporting the budget and the economic report.

Mr. CURTIS. Mr. Speaker, in answer to the first question, of course I am always in favor of colloquy and discussion. I believe that is good at any time an issue is up, no matter what the substance may be.

Let me restate what I understand to be the reason for the request.

The Congress did not convene until January 10. The budget message is required, I believe, 15 days after the con-

vening of the Congress. The economic report has a day certain, January 20. So the fact that we convened about a week later does throw the budget message back a week, while it does not throw the economic report back a week, and so there is a basis for arguing we should throw the economic report back.

This is also going to throw back the report of the Economic Committee to the Congress on the President's economic report another week.

I, myself, do not believe that the need for the budget message to come first, ahead of the economic report, is of substance.

Answering the second question, I do not believe that this would have any impact on the stock market, in respect to timing of these messages.

I believe the regrettable thing is that the budget has been delayed. I have seen no reason for that. The longer it is delayed, even though just a day, the longer there is an element of uncertainty as to what the President will actually propose in the budget, and this does have unsettling economic consequences.

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

Mr. HALL. Mr. Speaker, reserving the right to object, I should like very much to ask the chairman of the Committee on Banking and Currency to explain further the need for immediate consideration of this joint House-Senate resolution and, second, I should like to have his estimate of the effect it might have on the economy of the country, or the stock market specifically, if we simply take time to debate the resolution.

Mr. PATMAN. Mr. Speaker, I shall be glad to try to reply to the gentleman from Missouri.

I do not believe it would affect the stock market, or securities of any kind. This is not what I would call an earthshaking deal at all. It is very minor. I do not believe it will cause any disturbance of any kind in the market. There is no reason why it should.

This started back when we passed a resolution, during the first session, authorizing the Congress to meet at a later date. Under the Constitution we were required to meet on January 3, but we passed a resolution, which we had a right to do, making the commencement date of the second session January 10. That made it 1 week later.

That, of course, put this report in a squeeze. The difference of a week makes a lot of difference when there are only a few days involved. Therefore, this resolution is to take care of meeting 1 week later and to give the President that much longer, as contemplated in the original act.

Mr. HALL. Mr. Speaker, does the distinguished chairman mean to say that the committee is not ready to make the report?

Mr. PATMAN. Of course we are ready to start working on it. Under the law the President, as the gentleman realizes, must first make the report to the Congress.

Mr. HALL. But one of the other speakers in the colloquy here today said that he had knowledge that the report was ready to be made by the President and the executive branch.

Mr. PATMAN. That is not my understanding, sir. I was told it would not be ready until——

Mr. HALL. Mr. Speaker, in view of the fact that it is of little consequence, I object.

Mr. PATMAN. Will the gentleman reserve that until I can make another statement?

Mr. HALL. Yes. I will accommodate the gentleman and will withdraw my objection temporarily.

Mr. PATMAN. The Joint Economic Committee, feeling sure that there would be no objection to this 1 week's delay caused by the Congress meeting 1 week later, went ahead and arranged a program with the concurrence of the distinguished gentleman from Missouri [Mr. CURTIS], and also the Senator from New York [Mr. JAVITS]. If this is not passed, we will have to rearrange the program entirely. I hope under those circumstances that the gentleman will not object to it, because I personally can see no reason why it should not be granted. Of course, though, if there is a good reason, naturally, we should debate it.

Mr. HALL. Mr. Speaker, I wish only to make one comment, and then I will be glad to yield further. If it is of consequence, then no one appreciates the further delay in the reconvening of the second session more than I do, but I see no reason why we cannot keep to the stipulated dates when the report is ready and it is of no earthshaking consequence to the Nation or our economic sinews. Some program that has been arranged out of context certainly does not obviate the need for colloquy and debate on the floor before we change these matters, just as indeed we did have debate on the floor of the House with respect to the reconvening date of the 2d session of the 89th Congress.

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

Mr. HALL. I now yield to the gentleman from Missouri.

Mr. CURTIS. I would simply like to observe that the gentleman from Texas is correct in describing the manner in which we have worked out the hearings to be conducted by the Joint Economic Committee on the President's Economic Report. However, I would further observe that the time of the filing of the report has no bearing on that schedule. If anything, if we were to adhere to the law and have the report on January 20, it would facilitate those hearings. This week's delay actually complicates the schedule that we have. So I think the gentleman from Texas did not answer to the essence of the question raised. I would emphasize again, however, that to a large degree this is a housekeeping item, I believe. I must say, though, it appears to me the real reason behind this delay is that the President, for his own reasons of public relations, and affording the information to the people of this country, for his own personal reasons just wants to have his budget message before the Economic Report. Frankly, that is not a very compelling reason to me to simply subvert a law which makes perfectly good sense. I will reiterate that I think these reports are printed. The way we have done it in the past, with witnesses who have to appear before us, we get the reports 3 or 4 days sometimes ahead of the press. They will have a hold order on them. They are complicated documents for the purposes of printing, because they have all sorts of economic tables and charts in them. Of course, they have to be printed ahead of time. I am satisfied that the documents are actually there. In fact, I think the budget is compiled and printed. I regret that the Congress is not acting in a more independent manner and insisting that these laws are upheld that are written to spell out the relationship of the executive to the legislative branch of the Government. These laws are not being observed and the President is continually asking the Congress to accede to his accommodation with no basic reasons that I can see behind it.

Mr. HALL. I thank the gentleman for his further comments, and I will ask him two additional questions. First, if the committee is ready to have the hearings, would it not be better to have the President's economic report at the earliest possible moment?

Mr. CURTIS. Yes. That is what I said and what I observed with respect to the gentleman from Texas' comments. We had worked out a schedule, with very fine cooperation, as usual, with the gentleman from Texas. However, actually, far from being a reason for delaying it a week, it is all the more reason, as the gentleman from Missouri mentioned, to adhere to the January 20 date. I want to emphasize that I was not myself objecting, and I would urge the gentleman from Missouri, inasmuch as we have had this colloquy, not to object. With this record made here, we have brought out the points that need to be brought out. It has been healthy to do this, but it is largely a housekeeping item.

Mr. HALL. I wish to ask the gentleman one other question. Does the gentleman have any information as to when the request for the so-called South Vietnam accelerated or escalated war funds will be here as a supplementary or deficiency budget in addition to the regular budget, as the President said it would in his state of the Union message?

Mr. CURTIS. No, I do not, but I want to say it is certainly a crucial point and something we in the Joint Economic Committee are going to have to consider and will have to have knowledge of. I hope, as the gentleman mentioned, that we are not going to go ahead and start holding hearings on the economic report and the budget only to find this crucial area of additional expenditure policy is not public information and therefore not subject to inquiry by the Joint Economic Committee.

Mr. HALL. It is even the understanding of this gentleman from Missouri that

there is a certain movement going on between the joint bodies of the Committees on Appropriations to obviate and expedite this supplementary or deficiency appropriation, and I certainly suggest that it should not be considered out of context with the overall spending of the obligatory parts of the President's report, or the report of the President's Committee on Joint Economics of the two bodies.

Mr. CURTIS. Mr. Speaker, if the gentleman will yield further, I might say in further reply to the gentleman from Missouri that the chairman of the Committee on Ways and Means has just issued a statement with reference to hearings on the President's request for tax increases next week. We expect to hear further from the Secretary of the Treasury and other administration witnesses as to the impact of the budget on our needs for revenues, and we are going to have to have that additional budget material before the Committee on Ways and Means. Mr. Speaker, indeed we must have it if we are going to make any intelligent decision on how much we should be paying these bills through increased taxes and how much we are going to have to pay for through floating additional Government bonds, which has a serious impact upon the monetary market, and which also has other serious economic consequences.

Mr. HALL. Mr. Speaker, I thank the gentleman from Missouri, and I now yield to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. I am not clear as to when the President's Economic Report will be made available to Congress, if this resolution is adopted.

Mr. HALL. Mr. Speaker, in answer to the gentleman from Iowa I want to say that Senator Joint Resolution 125, which has just been messaged over and is now pending before the House of Representatives under a unanimous consent request, and of which I have taken observation, says in the final sentence that the President shall transmit to the Congress not later than January 27, 1966, the 1966 Economic Report.

This would allow the budget to be transmitted during the requisite 15 days after the opening of Congress, on the 25th of January, and the President's 1966 Economic Report to follow it by 2 days. Apparently, for public relations they want this secret.

Mr. GROSS. And, Mr. Speaker, if the gentleman from Missouri will yield further, the only excuse for the failure to meet the January 20 deadline is that the President wants to submit his Economic Report to the Nation after the budget is submitted? Is that the answer?

Mr. HALL. Mr. Speaker, I will say to the gentleman from Iowa it seems that that certainly is the only evidence that has been brought forth on the floor in this colloquy. It has been stated that, first, it is of little consequence; it is not earth shaking, it will not upset the general market or the economic sinews of the Government; and, second, it has been said that there is no need for speed and that the colloquy is worth while.

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

Mr. PATMAN. Mr. Speaker, if the gentleman from Missouri [Mr. HALL], will yield further, it is necessary that arrangements be made for the appearance of these witnesses who are necessary to testify before the Joint Economic Committee, of course, and the traditional first witness is the Chairman of the Council of Economic Advisers of the President. Then, after we hear from the Council, we then hear from the Secretary of the Treasury and we then hear from the Director of the Bureau of the Budget. Those three witnesses are very busy on the Hill.

I believe the gentleman from Missouri [Mr. CURTIS] brought out the fact that his committee expects to hear one or more of these witnesses some time soon in an effort to work out these arrangements and dates which will be mutually satisfactory. We have already agreed upon the time. This would not upset that timing. We could not have had it before, I do not believe, anyway, unless the other committees would yield. Naturally, we would not expect them to yield under those circumstances.

Therefore, Mr. Speaker, I hope the gentleman will take this into consideration.

Mr. HALL. I thank the gentleman, and I assure the chairman on Banking and Currency that I shall take that into consideration.

Mr. Speaker, I now yield to my colleague, the gentleman from Missouri [Mr. CURTIS].

Mr. PATMAN. Mr. Speaker, if the gentleman will yield further, I had not finished, but if the gentleman from Missouri will yield to me after he yields to the gentleman from Missouri [Mr. CURTIS], I shall appreciate it.

Mr. CURTIS. Mr. Speaker, there is another point, now that this colloquy has developed, which I believe should be mentioned. In fact, I had planned to make a speech on the floor of the House with respect thereto. I was very disturbed last December when the Joint Economic Committee conducted public hearings on the interest rate rise by the Federal Reserve Board.

We called before us the Federal Reserve Board and I had thought there was a clear understanding that the Government witnesses, particularly the Secretary of the Treasury, the Chairman of the Council of Economic Advisers of the President and the Director of the Bureau of the Budget, who have been criticizing this action of the Federal Reserve in public statements, would be called as witnesses. They were not called as witnesses. We finally put the matter to a vote and by a very narrow and, I regret to say, completely party vote, they were not formally invited to appear.

We have gone—and by "we" I mean this country and the Congress—have gone on now for over a month without having the opportunity of hearing from these three important Federal officials, the Secretary of the Treasury, the Director of the Budget, and the Chairman of the President's Council of Economic Advisers, with reference to this important economic factor. And this delay that we are experiencing here in receiving the President's Economic Report keeps us that much further from getting into and examining these matters. I am talking about the Congress now and the responsibility of the Congress of getting into and examining these economic factors that mean so much to our country and to our economy. This is not a dictatorship and I think it is time that the executive branch of the Government begin bringing these matters forthrightly before the Congress so that the appropriate committees of the Congress can get into these matters in a timely manner and not be confronted with so many of these faits accompli.

The sooner the Joint Economic Committee gets into this area, the better off we will be.

I want to say, as I understand the request for a 7-day delay here, it is not going to delay the Joint Economic Committee hearings because they are set. Actually, I think it would be better if there were no delay because it would enable our witnesses to have that much more chance to review the President's Economic Report. I again would urge my colleague, the gentleman from Missouri, in the light of this colloquy which I think has been very good and healthy, to take into consideration the fact that this is essentially a housekeeping matter and I hope that the gentleman would not object.

Mr. HALL. Mr. Speaker, further reserving the right to object, I must state that I did not intend, and state with all of the comity and equity and justice that I can summon from southwest Missouri, to interrupt the gentleman from the Southwest United States. I can only plead that there was a long Texas pause between the time that he completed his last sentence before he was about to start the next sentence, when I yielded to the other gentleman.

Mr. Speaker, I now yield to my colleague, the gentleman from Texas.

Mr. PATMAN. I would want the gentleman to consider this point which has not been mentioned—the gentleman from Missouri [Mr. CURTIS], mentioned it—that we are not through with the administration witnesses, that is, the three named by me a few minutes ago, when they testify on the Economic Report of the President for 1966. We are obligated to continue the investigation that was commenced in the early part of December with reference to the increase in interest rates, that is, the rediscount rate; and on the 30 to 90 day bills; and on the longer term cash deposits, which is an increase of 12½ percent in one case; 22.2 percent in another case, and 37.5 percent in another case.

We are going to go into that.

As the gentleman suggested the minority wanted to hear the administration witnesses. Of course the majority Members took the position that it was close to Christmas and that people wanted to go home. We did not want to stay there and conduct the investigation at that time and they preferred to have those witnesses appear in January and inter-

rogate them on these questions at that time.

Of course, that contemplates that after we got through with them, we probably would have to have the Federal Reserve Board back again. We are going to have more work this year than we have had before but we cannot start it earlier, I will state to the gentleman, and since this is only a matter of 7 days and inasmuch as it is only a matter of a later meeting of the Congress to put the situation in the same comparable position with reference to the time of submitting the Economic Report, I hope the gentleman will not object to this because it would cause us considerable trouble in trying to rearrange our hearings and our witnesses—if it is possible—and I do not think it is possible. And if it is not, of course it could not happen any earlier anyway. I hope under the circumstances the gentleman will not object.

Mr. HALL. Mr. Speaker, in view of the chairman's statement that the majority of his committee voted not to hear the administration witnesses, but wanted to have Christmas at home with Santa Claus instead plus the fact that time has overtaken events and proved the Fed's prompt action saved the administration embarrassment; and in view of the statements made here by my colleague from Missouri urging that we have these hearings as early as possible yet not to make a mountain out of a molehill although apparently opposite points of view; and in view of this established record and colloquy, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the present consideration of the Senate joint resolution?

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 125

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of section 3 of the Act of February 20, 1946, as amended (15 U.S.C. 1022), the President shall transmit to the Congress not later than January 27, 1966, the 1966 Economic Report.

The Senate joint resolution was ordered to be read a third time, was read a third time, and passed, and a motion to reconsider was laid on the table.

PRESIDENT'S REFERENCE TO FARM INCOME MISLEADING

Mr. McDADE. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. FINDLEY. Mr. Speaker, President Johnson omitted a vital word and at the same time leaned on a thin statistical stalk in his state of the Union reference to farm income. As a consequence, he conveyed a highly misleading impression. In his message he said "and average farm income is higher than ever—up 40 percent over the past 5 years and last year up 22 percent."

The figures he used were based on net income per farm, not total net farm income. With the important word "per" omitted, the statement was ambiguous, and the President was relieved of the necessity of taking note of the 16-percent drop in farm numbers which has occurred since 1960. In 1960 the number of farms was 3,956,000 and the 1966 figure is 3,286,000.

Even if the word "per" had been included, the statement would still have been misleading. It could be supported only by using obscure statistics which reflect abnormal differences in farm inventories. In speaking of farm income, administration officials usually do not include inventory changes. By including them, President Johnson came up with figures which make farmers look more prosperous than they really are. The sharp rise in livestock values during the past year, and a short corn corp in 1964 combined to make President Johnson's point of reference—1965—badly distorted in regard to inventories. In fairness, inventories should have been ignored or adjusted.

The President did not explain that the income figures he used included direct Government payments to farmers. These have climbed steadily from a grand total of $693 million 5 years ago to $3.4 billion officially estimated for 1966.

If Government payments are excluded, official estimates of total farm income in 1966 are almost precisely the same as income 5 years ago. Meanwhile, the purchasing power of the dollar has gone down. When adjustments are made for cost-of-living increases, it is obvious that farm income in constant dollars derived from the marketplace has gone down, not up.

The President did not mention that Agriculture Secretary Freeman has forecast a drop in total farm income after 1966. On November 17 he estimated it will average only $13.5 billion until 1970—down from the present $14 billion level. And here the Secretary was including Government payments.

So the official outlook is for lower income, not higher income, in the future.

Had the President cited the usual yardsticks of farm prosperity, the report would have been far different.

Realized net farm income, the usual point of reference, was up only 8 percent in 1965 over the year before, and USDA freely acknowledges this increase was due largely to the rise in livestock prices. It is noteworthy that livestock commodities are free of Government controls and price supports, and it would therefore be inappropriate for the Administration to claim credit for the modest increase in net farm income that did occur during the past year.

Perhaps the best indicator of farm prosperity is parity ratio—which relates prices received by farmers to prices they pay. Parity ratio, as reported by USDA, in 1964 averaged 74, lowest since the depression thirties. Better livestock prices brought it up to a modest 77 last year. In 1960 it was 81.

L.B.J.'S OWN PARTY SHOWS NEED FOR CAMPAIGN MONEY REFORM

Mr. McDADE. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. FINDLEY. Mr. Speaker, rising public concern over the way the Democratic National Committee and its cousins—the $1,000-a-clip President's Club and the Johnson-Humphrey Committee—handle finances may account for President Johnson's unexpected proposals to deal legislatively with political financing.

In politics, as in football, a good offense is generally considered to be the best defense. Therefore, the President's proposals to clean up campaign financing may be an attempt to put himself on the side of the angels in dealing with a situation in which Democratic Party finances seem to be highly questionable.

Some especially strange events were noted in an article in the Washington Sunday Star, January 16, written by Staff Writer Walter Pincus.

Certainly, the way in which money is raised and spent by the President's own party gives sufficient cause for tightening up laws and law enforcement. In his state of the Union message, the President proposed "strong teeth and severe penalties to the requirement of full disclosure of contributions" and also asked for legislation to "prohibit the endless proliferation of committees" which handle campaign money.

Excellent suggestions. When hearings begin the witnesses should include Richard McGuire—until recently treasurer of the Democratic National Committee—the treasurer of the President's Club, the treasurer of the Johnson-Humphrey Committee and the other officials and individuals alluded to in Mr. Pincus' article, which is reprinted below:

[From the Washington (D.C.) Star, Jan. 16, 1966]

DEMOCRATS' CAMPAIGN FUND REPORTS PUZZLING

(By Walter Pincus)

The Democrats are using previously unreported funds—some of which came in as loans, some as cash donations—to pay off bills from the 1964 presidential campaign.

As a result, Democratic committee reports filed pursuant to Federal law with the Clerk of the House show inconsistent entries.

Paradoxically, such entries in reports from President Johnson's own party highlight the need the "strong teeth and severe penalties to the requirement of full disclosure of contributions" that the Chief Executive mentioned Wednesday during his state of the Union message in declaring his decision to seek campaign fund legislation reform.

The President's Club—the fund-raising organization supported by Democratic donors of $1,000 or more—reported 1965 receipts totaling $378,244. The club ended 1964, its first reporting year, with a surplus of some $3,000, giving it $381,000 in reported 1965 receipts.

However, the club's 1965 yearend filing itemized disbursements adding up to $939,-238.75 for the entire 12 months, with almost

$870,000 of that amount being spent between September 1 and September 15 last year.

Democratic officials were unable last week to explain how the President's Club report could show payments exceeding receipts by $560,000.

However, a former party aid disclosed that large amounts of cash which the club received during the 1964 Johnson-Humphrey campaign were not reported officially as being received.

During the 1964 campaign, Democratic workers in Washington were given per diem payments of $20 a day before taking trips outside the city. In almost every case, such advance funds were paid in cash. Even White House staff members were reimbursed in cash by the Democratic National Committee for campaign travel with the President last year.

Most of the excess President's Club payments went to printers, ad agencies, and Washington hotels to satisfy bills run up during the campaign year.

SECOND SUCH REPORT

The President's Club filing marks the second time a Democratic group reported spending far in excess of the funds it said it had collected. In its second-quarter filing in 1965, the Democratic National Committee reported it paid out over $900,000 more than it previously had reported receiving. Though officials at the time said this represented a "deficit," the amounts involved were payments made rather than bills still remaining to be satisfied.

Several other types of discrepancies marked the most recent Democratic filings.

Another fund-raising group—the Johnson-Humphrey committee—closed out its activities last November 17, according to its filing with the House Clerk. On that day it reported transferring $8,000 to the Democratic National Committee.

That committee's report, however, fails to record receipt of the $8,000 in November or December, although both committees were operated out of the office of Democratic National Committee Treasurer Richard Maguire. Maguire recently resigned his post to enter private law practice.

In a similar transaction, the Democratic National Committee reported it transferred $6,524.69 on December 1 to the President's Club.

The President's Club, in turn, reported on December 1, it received exactly $500 less—$6,024.29—from "Salute to L.B.J." housed at the Democratic National Committee.

What happened to the $500 and where "Salute to L.B.J." fits into the fund-raising picture remain unanswered.

Such transactions, however, are seen as illustrating the need for another of the President's campaign reform proposals—action "to prohibit the endless proliferation of committees" which obscure the handling of campaign funds.

Another inconsistency within the recent Democratic report involves the date of alleged payments. The President's Club report listed a September 14 payment of $12,480 to Volpe Construction Co., Washington, D.C., which built the stage and platform at the Democrats' January 1965 inaugural gala in the D.C. Armory. But a Volpe official said last week the check was received in June rather than September.

Similarly, Turnpike Press of Annandale, Va., which produced a series of campaign flyers for the Democrats, received a $5,807.04 check in July rather than September, as the Democrats reported.

By postponing the reporting date of payments, the Democrats can attempt to keep their publicly filed figures of receipts and expenditures balanced and thus give the impression of solvency at all times.

Another entry which has puzzled inquirers lists a payment late in November of $2,407 as "reimbursement of expenses" to a former employee of the White House travel section.

This now-retired, longtime civil service employee said last week he could not recall ever having received any funds or checks from the Democratic National Committee. He said, however, the committee called him last fall and asked him his home address, which was part of the report filed.

There has been no official explanation as to why, almost a year after the campaign, the Democrats decided to pay off several of their largest outstanding debts and report those payments as part of the President's Club filing. Recent stories have referred to an alleged $1.7 million party deficit.

The recent filings would indicate the party still has unrecorded financial resources available to meet its financial needs.

One Democratic aid last week suggested President Johnson, faced with the need to replace retiring treasurer, Maguire, had taken new interest in the party's finances. It also was speculated that criticism of the Democrats' $15,000 a page ad book to raise funds for this year's congressional elections had stirred Johnson to action.

SECRET CORRESPONDENCE WITH TURKEY RAISES DISTURBING QUESTIONS

Mr. McDADE. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. FINDLEY. Mr. Speaker, secret correspondence released last Saturday by the White House at the request of the Government of Turkey gives notice of a major new limitation in U.S. commitment to the North Atlantic Treaty, and therefore raises disturbing questions about the credibility of pledges to our allies.

In a letter sent June 5, 1964 to Prime Minister Inonu, President Johnson in effect sharply qualified our solemn pledge to defend Turkey against Soviet attack. This forced Turkey to drop plans for military intervention in Cyprus.

The merits of the Turkish problem in Cyprus are completely beside the point. The basic question is one of treaty obligation. In the North Atlantic Treaty the United States was committed without qualification to defend Turkey from aggression.

Here is the pertinent language:

Article 5. The parties agree that an armed attack against one or more of them in Europe or North America shall be considered an attack against them all, and consequently they agree that, if such an armed attack occurs, each of them, in exercise of the right of individual or collective self-defense recognized by article 51 of the Charter of the United Nations, will assist the party or parties so attacked by taking forthwith, individually and in connection with the other parties, such action as it deems necessary, including the use of armed force, to restore and maintain the security of the North Atlantic area.

The language, you will note, pledges action automatically to assist any member nation that is attacked.

The key sentence in Mr. Johnson's letter was:

I hope you will understand that your NATO allies have not had a chance to consider whether they have an obligation to protect Turkey against the Soviet Union if Turkey takes a step which results in Soviet intervention without the full consent and understanding of its NATO Allies.

In other words, U.S. action to defend Turkey against Soviet attack would be conditional—not automatic. The United States would first decide whether the attack was provoked, and then make up its mind on defending Turkey.

So far as I can determine, this is the first time any member of the NATO alliance has questioned the automatic character of the mutual defense pact.

The automatic character of allied response was absolutely clear in the treaty, so the NATO Council would have no reason to consider whether they have an obligation to protect Turkey against the Soviet Union. So far as I can learn, the NATO Council did not at any time authorize President Johnson to be the alliance spokesman in regard to Turkey's action in Cyprus.

In his reply, Mr. Inonu hit the issue squarely when he wrote:

Our understanding is that the North Atlantic Treaty imposes upon all member states the obligation to come forthwith to the assistance of any member victim of aggression. The only point left to the discretion of the member states is the nature and the scale of this assistance.

If NATO members should start discussing the right and wrong of the situation of their fellow-member victim of a Soviet aggression—the very foundations of the alliance would be shaken.

Since the affair, Mr. Inonu has been replaced in office, United States-Turkish relations have been chilly and Turkey has been quietly trying to improve its relations with the Soviet Union.

This major treaty qualification in regard to Turkey—previously unannounced—may raise questions about the credibility of our commitments to other allies. No doubt Soviet leaders will read with intense interest the texts of these letters.

If, in a tight and tense minor crisis, the most powerful member of the alliance will qualify its obligation to one of the less powerful and most vulnerable, what may be expected if a major crisis arises?

How would we feel if the situation were reversed, and our plan to protect U.S. interests—in the Dominican Republic for example—were checkmated by a more powerful ally?

WHITE HOUSE STATEMENT

At the request of the Government of Turkey, the White House is today releasing the texts of letters exchanged on June 5, 1964, between President Johnson and the then Prime Minister of Turkey, Ismet Inonu, on the Cyprus crisis. Steps subsequent to this exchange of letters led to the visit of Prime Minister Inonu to Washington later in that month and constructive discussions by the President and the Prime Minister of the issues involved.

A joint communique released at the conclusion of those discussions welcomed the opportunity for a full exchange of views by the two leaders and the occasion to consider

ways in which the two countries could strengthen the efforts of the United Nations with respect to the safety and security of Cyprus. The communique noted that "the cordial and candid conversations of the two leaders strengthened the broad understanding already existing between Turkey and the United States."

The United States continues to value highly the close and friendly relations we maintain with Turkey.

PRESIDENT JOHNSON'S LETTER TO PRIME MINISTER INONU

JUNE 5, 1964.

DEAR MR. PRIME MINISTER: I am gravely concerned by the information which I have had through Ambassador Hare from you and your Foreign Minister that the Turkish Government is contemplating a decision to intervene by military force to occupy a portion of Cyprus. I wish to emphasize, in the fullest friendship and frankness, that I do not consider that such a course of action by Turkey, fraught with such far-reaching consequences, is consistent with the commitment of your Government to consult fully in advance with us. Ambassador Hare has indicated that you have postponed your decision for a few hours in order to obtain my views. I put to you personally whether you really believe that it is appropriate for your Government, in effect, to present a unilateral decision of such consequence to an ally who has demonstrated such stanch support over the years as has the United States for Turkey. I must, therefore, first urge you to accept the responsibility for complete consultation with the United States before any such action is taken.

It is my impression that you believe that such intervention by Turkey is permissible under the provisions of the treaty of guarantee of 1960. I must call your attention, however, to our understanding that the proposed intervention by Turkey would be for the purpose of effecting a form of partition of the island, a solution which is specifically excluded by the treaty of guarantee. Further, that treaty requires consultation among the guarantor powers. It is the view of the United States that the possibilities of such consultation have by no means been exhausted in this situation and that, therefore, the reservation of the right to take unilateral action is not yet applicable.

I must call to your attention, also, Mr. Prime Minister, the obligations of NATO. There can be no question in your mind that a Turkish intervention in Cyprus would lead to a military engagement between Turkish and Greek forces. Secretary of State Rusk declared at the recent meeting of the Ministerial Council of NATO in The Hague that war between Turkey and Greece must be considered as literally unthinkable. Adhesion to NATO, in its very essence, means that NATO countries will not wage war on each other. Germany and France have buried centuries of animosity and hostility in becoming NATO allies; nothing less can be expected from Greece and Turkey. Furthermore, a military intervention in Cyprus by Turkey could lead to a direct involvement by the Soviet Union. I hope you will understand that your NATO allies have not had a chance to consider whether they have an obligation to protect Turkey against the Soviet Union if Turkey takes a step which results in Soviet intervention without the full consent and understanding of its NATO allies.

Further, Mr. Prime Minister, I am concerned about the obligations of Turkey as a member of the United Nations. The United Nations has provided forces on the island to keep the peace. Their task has been difficult but, during the past several weeks, they have been progressively successful in reducing the incidents of violence on that island. The United Nations mediator has not yet completed his work. I have no doubt that the general membership of the United Nations would react in the strongest terms to unilateral action by Turkey which would defy the efforts of the United Nations and destroy any prospect that the United Nations could assist in obtaining a reasonable and peaceful settlement of this difficult problem.

I wish also, Mr. Prime Minister, to call your attention to the bilateral agreement between the United States and Turkey in the field of military assistance. Under article IV of the agreement with Turkey of July 1947, your Government is required to obtain U.S. consent for the use of military assistance for purposes other than those for which such assistance was furnished. Your Government has on several occasions acknowledged to the United States that you fully understand this condition. I must tell you in all candor that the United States cannot agree to the use of any United States supplied military equipment for a Turkish intervention in Cyprus under present circumstances.

Moving to the practical results of the contemplated Turkish move, I feel obligated to call to your attention in the most friendly fashion the fact that such a Turkish move could lead to the slaughter of tens of thousands of Turkish Cypriots on the Island of Cyprus. Such an action on your part would unleash the furies and there is no way by which military action on your part could be sufficiently effective to prevent wholesale destruction of many of those whom you are trying to protect. The presence of United Nation forces could not prevent such a catastrophe.

You may consider that what I have said is much too severe and that we are disregardful of Turkish interests in the Cyprus situation. I should like to assure you that this is not the case. We have exerted ourselves both publicly and privately to assure the safety of Turkish Cypriots and to insist that a final solution of the Cyprus problem should rest upon the consent of the parties most directly concerned. It is possible that you feel in Ankara that the United States has not been sufficiently active in your behalf. But surely you know that our policy has caused the liveliest resentments in Athens (where demonstrations have been aimed against us) and has led to a basic alienation between the United States and Archbishop Makarios. As I said to your Foreign Minister in our conversation just a few weeks ago, we value very highly our relations with Turkey. We have considered you as a great ally with fundamental common interests. Your security and prosperity have been a deep concern of the American people and we have expressed that concern in the most practical terms. You and we have fought together to resist the ambitions of the Communist world revolution. This solidarity has meant a great deal to us and I would hope that it means a great deal to your Government and to your people. We have no intention of lending any support to any solution of Cyprus which endangers the Turkish Cypriot community. We have not been able to find a final solution because this is, admittedly, one of the most complex problems on earth. But I wish to assure you that we have been deeply concerned about the interests of Turkey and of the Turkish Cypriots and will remain so.

Finally, Mr. Prime Minister I must tell you that you have posed the gravest issues of war and peace. These are issues which go far beyond the bilateral relations between Turkey and the United States. They not only will certainly involve war between Turkey and Greece but could involve wider hostilities because of the unpredictable consequences which a unilateral intervention in Cyprus could produce. You have your responsibilities as Chief of the Government of Turkey; I also have mine as President of the United States. I must, therefore, inform you in the deepest friendship that unless I can have your assurance that you will not take such action without further and fullest consultation I cannot accept your injunction to Ambassador Hare of secrecy and must immediately ask for emergency meetings of the NATO Council and of the United Nations Security Council.

I wish it were possible for us to have a personal discussion of this situation. Unfortunately, because of the special circumstances of our present constitutional position, I am not able to leave the United States. If you could come here for a full discussion I would welcome it. I do feel that you and I carry a very heavy responsibility for the general peace and for the possibilities of a sane and peaceful resolution of the Cyprus problem. I ask you, therefore, to delay any decisions which you and your colleagues might have in mind until you and I have had the fullest and frankest consultation.

Sincerely,

LYNDON B. JOHNSON.

PRIME MINISTER INONU'S RESPONSE TO THE PRESIDENT

JUNE 13, 1964.

His Excellency THE PRESIDENT OF THE UNITED STATES,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: I have received your message of June 5, 1964, through Ambassador Hare. We have, upon your request, postponed our decision to exercise our right of unilateral action in Cyprus conferred to us by the treaty of guarantee. With due regard to the spirit of candor and friendship in which your message is meant to be written, I will, in my reply, try also to explain to you in full frankness my views about the situation.

Mr. President, your message, both in wording and content, has been disappointing for an ally like Turkey who has always been giving the most serious attention to its relations of alliance with the United States and has brought to the fore substantial divergences of opinion in various fundamental matters pertaining to these relations.

It is my sincere hope that both these divergences and the general tone of your message are due to the haste in which a representation made in good-will was, under pressure of time, based on data hurriedly collected.

In the first place, it is being emphasized in your message that we have failed to consult with the United States when a military intervention in Cyprus was deemed indispensable by virtue of the treaty of guarantee. The necessity of a military intervention in Cyprus has been felt four times since the closing days of 1963. From the outset we have taken a special care to consult the United States on this matter. Soon after the outbreak of the crisis, on December 25, 1963 we have immediately informed the United States of our contacts with the other guaranteeing powers only to be answered that the United States was not a party to this issue. We then negotiated with the United Kingdom and Greece for intervention and, as you know, a tripartite military administration under British command was set up on December 26, 1963. Upon the failure of the London conference and of the joint Anglo-American proposals, due to the attitude of Makarios and in the face of continuing assaults in the island against the Turkish Cypriots, we lived through very critical days in February and taking advantage of the visit of Mr. George Ball to Ankara, we informed again the United States of the gravity of the situation. We tried to explain to you that the necessity of intervention to restore order in the island might arise in view of the vacuum caused by the rejection of the Anglo-American proposals

and we informed you that we might have to intervene at any time. We even requested guarantees from you on specific issues and your answers were in the affirmative. However, you asked us not to intervene and assured us that Makarios would get at the United Nations a severe lesson while all the Turkish rights and interests would be preserved.

We complied with your request without any satisfactory result being secured at the United Nations. Moreover the creation of the United Nations force, decided upon by the Security Council, became a problem. The necessity for intervention was felt for the third time to protect the Turkish community against the assaults of the terrorists in Cyprus who were encouraged by the doubts as to whether the United Nations forces would be set up immediately after the adoption of the Security Council resolution of March 4, 1964. But assuring us that the force would be set up very shortly, you insisted again that we refrain from intervening. Thereupon we postponed our intervention once again, awaiting the United Nations forces to assume their duty.

Dear Mr. President, the era of terror in Cyprus has a particular character which rendered ineffective all measures taken so far. From the very outset, the negotiations held to restore security and the temporary setups have all helped only to increase the aggressiveness and the destructiveness of the Makarios administration. The Greek Cypriots have lately started to arm themselves overtly and considered the United Nations as an additional instrument to back up their ruthless and unconstitutional rule. It has become quite obvious that the United Nations have neither the authority nor the intent to intervene for the restoration of constitutional order and to put an end to aggression. You are well aware of the instigative attitude of the Greek Government toward the Greek Cypriots. During the talks held in your office, in the United States, we informed you that under the circumstances we would eventually be compelled to intervene in order to put an end to the atrocities in Cyprus. We also asked your Secretary of State at The Hague whether the United States would support us in such an eventuality and we received no answer. I think, I have thus reminded you how many times and under what circumstances we informed you of the necessity for intervention in Cyprus. I do remember having emphasized to your high level officials our due appreciation of the special responsibilities incumbent upon the United States within the alliance and of the necessity to be particularly careful and helpful to enable her to maintain solidarity within the alliance. As you see, we never had the intention to confront you with a unilateral decision on our part. Our grievance stems from our inability to explain to you a problem which caused us for months utmost distress and from your refusal to take a frank and firm stand on the issue as to which party is on the right side in the dispute between two allies; namely, Turkey and Greece.

Mr. President, in your message you further emphasize the obligation of Turkey, under the provisions of the treaty, to consult with the other two guaranteeing powers, before taking any unilateral action. Turkey is fully aware of this obligation. For the past 6 months we have indeed complied with the requirements of this obligation. But Greece has, not only thwarted all the attempts made by Turkey to seek jointly the ways and means to stop Greek Cypriots from repudiating international treaties, but has also supported their unlawful and inhuman acts and has even encouraged them.

The Greek Government itself has not hesitated to declare publicly that the international agreements it signed with us were no longer in force. Various examples to that effect were, in due course, communicated in detail, orally and in writing, to your State Department.

We have likewise fulfilled our obligation of constant consultation with the Government of the United Kingdom, the other guaranteeing power.

In several instances we have jointly with the Government of the United Kingdom, made representations to the Greek Cypriots with a view to restoring constitutional order. But unfortunately, these representations were of no avail due to the negative attitude of the Greek Cypriot authorities.

As you see, Turkey has earnestly explored every avenue of consulting continuously and acting jointly with the other two guaranteeing powers. This being the fact, it cannot be asserted that Turkey has failed to abide by her obligation of consulting with the other two guaranteeing powers before taking unilateral action.

I put it to you, Mr. President, whether the U.S. Government which has felt the need to draw the attention of Turkey to her obligation of consultation, yet earnestly and faithfully fulfilled by the latter, should not have reminded Greece, who repudiates treaties signed by herself, of the necessity to abide by the precept "pacta sunt servanda" which is the fundamental rule of international law. This precept which, only a fortnight ago, was most eloquently characterized as the basis of survival by your Secretary of State himself in his speech at the American Law Institute, is now being completely and contemptuously ignored by Greece, our NATO ally and by Greek Cypriots.

Dear Mr. President, as implied in your message, by virtue of the provisions of article 4 of the treaty of guarantee, the three guaranteeing powers have, in the event of a breach of the provisions of that treaty, the right to take concerted action and, if that proves impossible, unilateral action with the sole aim of reestablishing the state of affairs created by the said treaty. The treaty of guarantee was signed with this understanding being shared by all parties thereto. The "gentleman's agreement" signed on February 19, 1959, by the Foreign Ministers of Turkey and Greece, is an evidence of that common understanding.

On the other hand, at the time of the admission of the Republic of Cyprus to the United Nations, the members of the organization were fully acquainted with all the international commitments and obligations of the said Republic and no objections were raised in this respect.

Furthermore, in the course of the discussions on Cyprus leading to the resolution adopted on March 4, 1964, by the Security Council, the U.S. delegates, among others, explicitly declared that the United Nations had no power to annul or amend international treaties.

The understanding in your message that the intervention by Turkey in Cyprus would be for the purposes of effecting the partition of the island has caused me great surprise and profound sorrow. My surprise stems from the fact that the data furnished to you about the intentions of Turkey could be so remote from the realities repeatedly proclaimed by us. The reason of my sorrow is that our ally, the Government of the United States, could think that Turkey might lay aside the principle constituting the foundation of her foreign policy, i.e., absolute loyalty to international law, commitments and obligations, as factually evidenced in many circumstances well known to the United States.

I would like to assure you most categorically and most sincerely that if ever Turkey finds herself forced to intervene militarily in Cyprus this will be done in full conformity with the provisions and aims of international agreements.

In this connection, allow me to stress, Mr. President, that the postponement of our decision does naturally, in no way affect the rights conferred to Turkey by article 4 of the treaty of guarantee.

Mr. President, referring to NATO obligations, you state in your message that the very essence of NATO requires that allies should not wage war on each other and that a Turkish intervention in Cyprus would lead to a military engagement between Turkish and Greek forces.

I am in full agreement with the first part of your statement, but the obligation for the NATO allies to respect international agreements concluded among themselves as well as their mutual treaty rights and commitments is an equally vital requisite of the alliance. An alliance among states which ignore their mutual contractual obligations and commitments is unthinkable.

As to the concern you expressed over the outbreak of a Turko-Greek war in case of Turkey's intervention in Cyprus in conformity with her rights and obligations stipulated in international agreements, I would like to stress that Turkey would undertake a "military operation" in Cyprus exclusively under the conditions and for the purpose set forth in the agreements. Therefore, a Turko-Greek war so properly described as "literally unthinkable" by the Honorable Dean Rusk could only occur in case of Greece's aggression against Turkey.

Our view, in case of such intervention, is to invite to an effective collaboration, with the aim of restoring the constitutional order in Cyprus, both Greece and the United Kingdom in their capacity as guaranteeing powers. If despite this invitation and its contractual obligations Greece were to attack Turkey, we could in no way be held responsible of the consequences of such an action. I would like to hope that you have already seriously drawn the Greek Government's attention on these matters.

The part of your message expressing doubts as to the obligation of the NATO allies to protect Turkey in case she becomes directly involved with the U.S.S.R. as a result of an action initiated in Cyprus, gives me the impression that there are as between us wide divergence of views as to the nature and basic principles of the North Atlantic Alliance. I must confess that this has been to us the source of great sorrow and grave concern. Any aggression against a member of NATO will naturally call from the aggressor an effort of justification. If NATO's structure is so weak as to give credit to the aggressor's allegations, then it means that this defect of NATO needs really to be remedied. Our understanding is that the North Atlantic Treaty imposes upon all member states the obligation to come forthwith to the assistance of any member victim of an aggression. The only point left to the discretion of the member states is the nature and the scale of this assistance. If NATO members should start discussing the right and wrong of the situation of their fellow-member victim of a Soviet aggression, whether this aggression was provoked or not and if the decision on whether they have an obligation to assist the member should be made to depend on the issue of such a discussion, the very foundations of the Alliance would be shaken and it would lose its meaning. An obligation of assistance, if it is to carry any weight, should come into being immediately upon the observance of aggression. That is why Article 5 of the North Atlantic Treaty considers an attack against one of the member states as an attack against them all and makes it imperative for them to assist the party so attacked by taking forthwith such action as they deem necessary. In this connection I would like to further point out that the agreements on Cyprus have met with the approval of the North Atlantic Council, as early as the stage of the United Nations debate on

the problem, i.e., even prior to the establishment of the Republic of Cyprus, hence long before the occurrence of the events of December 1963.

As you will recall, at the meeting of the NATO Ministerial Council held 3 weeks ago at The Hague, it was acknowledged that the treaties continued to be the basis for legality as regards the situation in the island and the status of Cyprus. The fact that these agreements have been violated as a result of the flagrantly unlawful acts of one of the parties on the island should in no way mean that the said agreements are no longer in force and that the rights and obligations of Turkey by virtue of these agreements should be ignored. Such an understanding would mean that as long as no difficulties arise, the agreements are considered as valid and they are no longer in force when difficulties occur. I am sure you will agree with me that such an understanding of law cannot be accepted. I am equally convinced that there could be no shadow of doubt about the obligation to protect Turkey within the NATO alliance in a situation that can, by no means, be attributed to an arbitrary act of Turkey. An opposite way of thinking would lead to the repudiation and denial of the concept of law and of article 51 of the United Nations Charter.

In your message, concern has been expressed about the commitments of Turkey as a member of the United Nations. I am sure, Mr. President, you will agree with me if I say that such a concern, which I do not share, is groundless especially for the following reasons: Turkey has distinguished herself as one of the most loyal members of the United Nations ever since its foundation. The Turkish people has spared no effort to safeguard the principles of the United Nations Charter, and has even sacrificed her sons for this cause. Turkey has never failed in supporting this organization and, in order to secure its proper functioning, has borne great moral and material sacrifices even when she had most pressing financial difficulties. Despite the explicit rights conferred to Turkey by the Treaty of Guarantee, my Government's respect for and adherence to the United Nations have recently been demonstrated once more by its acceptance of the Security Council resolution of March 4, 1964, as well as by the priority it has given to the said resolution.

Should the United Nations have been progressively successful in carrying out their task as pointed out in your message, a situation which is of such grave concern for both you and I, would never have arisen. It is a fact that the United Nations' operations in the island have proved unable to put an end to the oppression.

The relative calm which has apparently prevailed in the island for the past few weeks marks the beginning of preparations of the Greek Cypriots for further tyranny. Villages are still under siege. The United Nations forces, assuaging Turkish Cypriots, enable the Greeks to gather their crops; but they do not try to stop the Greeks when the crops of Turks are at stake and they act as mere spectators to Greek assaults. These vitally important details may not well reach you, whereas we live in the atmosphere created by the daily reports of such tragic events.

The report of the Secretary General will be submitted to the United Nations on June 15, 1964. I am seriously concerned that we may face yet another defeat similar to the one we all suffered on March 4, 1964. The session of March 4 had further convinced Makarios that the Treaty of Guarantee did not exist for him and thereupon he took the liberty of actually placing the United Nations forces under his control and direction. From then on the assassination of hostages and the besieging of villages have considerably increased.

Dear Mr. President, our allies who are in a position to arbiter in the Cyprus issue and to orient it in the right direction have so far been unable to disentangle the problem from a substantial error. The Cyprus tragedy has been engendered by the deliberate policy of the Republic of Cyprus aimed at annuling the treaties and abrogating the constitution. Security can be established in the island only through the proper functioning of an authority above the Government of Cyprus. Yet only the measures acceptable to the Cypriot Government are being sought to restore security in Cyprus. The British administration set up following the December events, the Anglo-American proposals and finally the United Nations command have all been founded on this unsound basis and consequently every measure acceptable to Makarios has proved futile and has, in general, encouraged oppression and aggression.

Dear Mr. President, you put forward in your message the resentment caused in Greece by the policy pursued by your government. Within the context of the Cyprus issues, the nature of the Greek policy and the course of action undertaken by Greece indicate that she is apt to resort to every means within her power to secure the complete annulment of the existing treaties. We are at pains to make our allies understand the sufferings we bear in our rightful cause and the irretrievable plight in which the Turkish Cypriots are living. On the other hand, it is not the character of our nation to exploit demonstrations of resentment. I assure you that our distress is deeply rooted since we cannot make you understand our rightful position and convince you of the necessity of spending every effort and making use of all your authority to avert the perils inherent in the Cyprus problem by attaching to it the importance it well deserves.

That France and Germany have buried their animosity is indeed a good example. However, our nation had already given such an example 40 years ago by establishing friendly relations with Greece, right after the ruthless devastation of the whole Anatolia by the armies of that country.

Dear Mr. President, as a member of the alliance our nation is fully conscious of her duties and rights. We do not pursue any aim other than the settlement of the Cyprus problem in compliance with the provisions of the existing treaties. Such a settlement is likely to be reached if you lend your support and give effect with your supreme authority to the sense of justice inherent in the character of the American Nation.

Mr. President, I thank you for your statement emphasizing the value attached by the United States to the relations of alliance with Turkey and for your kind words about the Turkish nation. I shall be happy to come to the United States to talk over the Cypress problem with you. The United Nations Security Council will meet on June 17. In the meantime, Mr. Dirk Stikker, Secretary General of NATO, will have paid a visit to Turkey. Furthermore, the United Nations Mediator Mr. Tuemioja will have submitted his report to the Secretary-General. These developments may lead to the emergence of a new situation. It will be possible for me to go abroad to join you, at a date convenient for you, immediately after June 20.

It will be most helpful for me if you would let me know of any defined views and designs you may have on the Cyprus question so that I may be able to study them thoroughly before my departure for Washington.

Finally, I would like to express my satisfaction for the frank, fruitful, and promising talks we had with Mr. G. Ball, in Ankara just before forwarding this message to you.

Sincerely,

ISMET INONU,
Prime Minister of Turkey.

INTRODUCES BILL FOR VIETNAM VETERANS

Mr. McDADE. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. CRAMER] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. CRAMER. Mr. Speaker, I have today introduced a bill designed to extend GI educational benefits to veterans of the Vietnam war. In my judgment, this is must legislation and should be favorably considered by this body at the earliest possible time.

As I speak, over 190,000 American men are serving their country in Vietnam and thousands of others are supporting these men in various capacities. Many have delayed their education in order to serve their country. Others have had their education interrupted. Although this country can never repay these valiant men for the precious time they have lost—lost, I might add, during the most productive years of their lives—it can help them either begin, continue or further their educational pursuits upon their return to civilian life.

This mighty Nation has always recognized and met its obligations to its fighting men. This has been true in two World Wars and Korea. Hopefully, it will be equally true today.

I might add, Mr. Speaker, that it was deeply disturbing to me that the President, in his state of the Union message, made only passing reference to the need for this type of legislation while not hesitating to ask, with great specificity, for the Congress to continue appropriating billions of dollars for some of the administration's wholly discredited programs. Hopefully such slight reference is not a reflection of the administration's lack of true support for our Vietnam veterans and that the White House will indicate to the Congress the President's support for adequate legislation to benefit these men.

My bill provides for education or training at the rate of 1½ days of education for each day of military service. The period of education or training to which an eligible veteran shall be entitled shall not exceed 36 months.

Education or training must be initiated within 3 years after the veterans' discharge or release from active duty or 3 years from date of enactment, whichever is later. Under special circumstances, these limitations may be waived.

THE GREAT SOCIETY NEGLECTS THOSE WHO DEFEND IT

Mr. McDADE. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. GURNEY] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. GURNEY. Mr. Speaker, in the endless and ever-increasing money spending programs of the Great Society our young soldiers, who by their sacrifices have most earned their country's help, have been sadly overlooked.

Since 1955 nearly 6 million men have served America in her tasks as protector of freedom. Scores of thousands are even now risking their lives in the war in southeast Asia.

Yet in all the discussion in the state of the Union message of America's role in Vietnam, the debt owed the GI's was accorded only an oblique reference. This was the same speech that called for a plan to educate the children of the world—the very same world these young GI's have been fighting to save and protect.

To serve in the Armed Forces these young men have interrupted college and careers. For many of them, the place they left is no longer open, but is filled by another young man who was not called upon to serve. They are 2 or 3 years behind their contemporaries and find that those they left behind are now busy with the professions the GI is not even trained for.

Young people in the Job Corps are paid more money—and even received free trips home for the holidays while returning GI's slept in airports waiting and hoping for the leftover seats to carry them home to their families.

With all this in mind it is inconceivable that an administration spokesman testified before the Veterans' Affairs Committee last year that a cold war GI bill was inconsistent with administration objectives. Whatever these objectives may have been, in a proud and just nation they ought to include a measure of gratitude to those young men whose lives have been so affected for our sake.

At the present time the Government does not offer these young men any help other than unemployment compensation as they return to seek jobs and education. They are accorded none of the considerations that the veterans of World War II or the Korean war were given.

The bill which I am introducing today will help in some may to express the gratitude of a nation for the sacrifice these men have made. It will provide them with a modest income to help cover the costs of the education and training they could have obtained in the years they gave to their country.

It has long been the goal of this Nation to encourage young people to pursue whatever educational advances they can master. The World War II and Korean GI bills have proven to be a great step in making higher education available to all.

After World War II, educators agreed that the entire face of higher education in this land had been changed. The veterans brought a seriousness of purpose and an appreciation for the opportunities to obtain it. The educational level of the Nation was raised as a result—more of our citizens had better educations than ever before.

Had it not been for this program, the shortages of highly trained men in essential occupations would have plagued the Nation's economy even more seriously. The GI bills contributed immeasurably to our present scientific and technical proficiency. The dividends of this national investment are still flowing into our economy.

To those who cry that the program is too expensive, I need only to point to the record of the previous bills. The $14.5 billion in cost to the Treasury has been more than recouped in additional tax revenue from young men whose earning power was multiplied by education. And it continues to pay for itself at a rate of $1 billion a year.

Which of the Great Society programs can claim or ever even hope to claim such a record?

The bill I have introduced provides, in brief, as follows:

This bill, entitled the "Veterans Educational Assistance Act of 1966," will provide a program of education and training for veterans of current service.

Service requirements: At least 6 months military service between February 1, 1955, and the date of termination of compulsory military service.

Duration of education or training: Education or training time shall be earned at the rate of 1½ days of education for each day of military service during the specified period. The period of education or training to which an eligible veteran shall be entitled shall not exceed 36 months.

Time limitations: Education or training must be initiated within 3 years after the veteran's discharge or release from active duty or 3 years from date of enactment, whichever is later. Veterans, who have been unable to initiate programs of study within 3 years of separation because of the nature of their discharge shall be permitted to initiate a program of education or training within 3 years after the nature of the discharge was corrected or changed to make him eligible.

Expiration of education and training: No education or training shall be afforded an eligible veteran beyond 8 years from discharge from active duty or 8 years from enactment of this law, whichever is later. The entire program of education and training shall terminate 8 years after the date of termination of compulsory military service.

Payments to veterans: Each eligible veteran pursuing a program of education or training shall receive an education and training allowance to meet in part the expenses of his subsistence, tuition, fees, supplies, books, and equipment. The following allowances are payable.

EDUCATIONAL INSTITUTION TRAINING

Full time, 14 semester hours: $130 monthly, no dependents; $160 monthly, one dependent; $190 monthly, two or more dependents.

Three-quarters time: $95 monthly, no dependents; $120 monthly, one dependent; $140 monthly, two or more dependents.

Half time: $60 monthly, no dependents; $75 monthly, one dependent; $90 monthly, two or more dependents.

Less than halftime: Allowance computed at the rate of the established charges or $130 per month for full-time course, whichever is the lesser.

Institutional and on-the-job training: $105 monthly, no dependents; $130 monthly, one dependent; $150 monthly, two or more dependents.

Apprenticeship or on-the-job training; $80 monthly, no dependents; $100 monthly, one dependent; $125 monthly, two or more dependents.

Institutional on-farm training: $110 monthly, no dependents; $130 monthly, one dependent; $150 monthly, two or more dependents.

Miscellaneous provisions: Educational institutions which qualify to participate in this program include public or private elementary school, secondary school, vocational school, correspondence school, business school, junior college, teachers college, college, normal school, professional school, university, scientific or technical institution or other institutions furnishing education for adults.

Surely no better investment can be made than in lives and education of youth. And no group is more deserving to receive these benefits than the young men who are returning every day from the battlefields.

FEAA HONORS MR. MORRIS B. BESCHLOSS

Mr. McDADE. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. DERWINSKI. Mr. Speaker, the Free Enterprise Awards Association, Inc., is an organization dedicated to promoting incentive and championing the cause of the American democratic system.

In its 14th annual American Success Story Awards ceremony the FEAA honored a constituent of mine, Mr. Morris B. Beschloss, president of Hammond Valve Corp., Hammond, Ind.

Mr. Beschloss was a Berlin immigrant raised in a small Illinois town. He earned his B.S. degree at the University of Illinois where he was sports editor of the Daily Illini and a member of Sigma Delta Chi Fraternity. He was a captain in the Army and taught military science at the University of Illinois and the Army Psychological Warfare Division.

In Hammond, Mr. Beschloss started his career as advertising manager and worked his way to president in 1956. His leadership sparked sales, new products, and expansion. He originated overnight delivery service centers. He then entered the competitive industrial valve field, broadened line of gate, globe, and check valves to make Hammond a leading supplier to the plumbing and other industries selling over 800 items with multimillions in sales through distributors. A new $1 million, 2-acre addition will expand the Hammond Valve Corp.'s 125,000-square-foot plant.

Mr. Beschloss' success is typical of the great examples that have made America the successful Nation that it is, and I am

pleased to have a constituent who serves as a source of inspiration and provides the leadership that has always been the American trademark.

H.R. 11897—HORTON BILL TO PROTECT AND RESTORE VETERAN PENSIONS CUT BY SOCIAL SECURITY INCREASE

Mr. McDADE. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. HORTON] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. HORTON. Mr. Speaker, on the first day of this second session, I introduced H.R. 11897, a bill to exclude the increase in social security benefits from the determination of income for veteran pension purposes.

When we enacted the badly needed increase in cash social security benefit payments last year we inflicted an unintentional but nevertheless very real hardship and injustice upon certain veterans, their dependents, and survivors. Some of the veterans or widows of veterans who received both social security benefits and veterans' pensions were moved into a higher income bracket by this increase, with the unfortunate consequence that their pensions from the Veterans' Administration have been reduced or entirely terminated.

The income test for pension purposes is made up of only a few broad income brackets with very sharp drops in pension amounts as one moves to a higher bracket. The result is that the additional money received from the higher social security payment does not come close to offsetting the loss in pension payments suffered by those pushed into a higher income bracket, to say nothing of those whose pensions were terminated entirely. Their total income, therefore, is lower than before we passed the Social Security Amendments of 1965.

Let us look at the group whose incomes have been cut. Not only is it composed of veterans—or widows of veterans—whom we at one time asked to risk their lives for us but they are pensioners. So by definition they are disabled, they have very limited incomes, and in many cases they are old.

Cutting the income of such a group is intolerable. The situation must be corrected. I ask my colleagues full support for this bill.

SOCIAL PROGRAMS AND SOCIAL PROGRESS

Mr. McDADE. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. RUMSFELD] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. RUMSFELD. Mr. Speaker, under leave to extend my remarks, I am inserting in the RECORD an editorial which appeared in the December 20, 1965, issue of the Christian Science Monitor and which draws attention to the too often ignored fact that Government press releases and slogans alone cannot conquer poverty. There is a deeper dimension to social progress which involves the spiritual and moral fiber of a nation:

SOCIAL PROGRAMS AND SOCIAL PROGRESS

This newspaper is currently publishing a series of interviews with leading Presidential advisers, designed to throw light on where the Great Society program is heading and what it implies for the future of America. These advisers are among the architects of the President's program, and the interviews explore their long-range thinking, their ideas, and goals.

Any such survey is bound to convey something of the enormous scope of the administration's program. Whatever one may think of President Johnson's approach, it may be conceded that his program has thrown the spotlight of national attention, as never before, on poverty, ignorance, discrimination, child neglect, and physical disability. Long-submerged conditions are coming to the surface to be dealt with. Surely it is true, too, that the Great Society approach expresses a humanitarian concern for the deprived, and a growing conviction that suffering and degradation are not really necessary and must be challenged. All of this is good. But amid the discussion of social programing and the laborious paraphernalia of national welfare efforts, it needs to be remembered that social progress has a deeper dimension. Practical programs to relieve suffering and end degrading conditions are necessary. But their success is in direct proportion to the improvement in human thinking that accompanies them. Poverty and crime can be expunged from our cities only as poverty and crime are removed from men's thinking.

It is the moral fiber and spiritual energies of a nation that lift it to a better way of life. This is true in a high-speed modern society just as much as it was in an agrarian era. Without moral fiber—expressed in honesty, respect for law, moral courage, and the like—there is no cement to hold society together. Without spiritual energies—shown in individual initiative and enterprise, aspiration, faith, the motivation to conquer adversity, and so on—there is little incentive to make the sacrifices of self-indulgence which progress demands.

Too little attention is being given today to this basic aspect of human progress. A cornucopia of industrial gadgets will not by itself give meaning to life. Expensive social programs will not, by themselves, end degradation. The triumph over ignorance and crime must still take place, basically and primarily, in the minds of men. Triumph over poverty comes only as men rise above poverty of thinking; the best charity still is to enable a man to live without dependence on charity.

Helpful as social programs are, the basic need is for the spiritual enlightenment and awakening which will inspire men to strive for better goals in life and will motivate them to obey the canons of decent and civilized living. Much more attention needs to be given to this need. Here is a challenge for the individual, the church, the community organization, and our regional and national leadership.

AIDING THE ENEMY

Mr. McDADE. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. HARSHA] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. HARSHA. Mr. Speaker, this administration has been giving a lot of lip-service to the proposition that it will provide whatever is necessary for American boys who are serving in Vietnam. Yet, it persists in doing nothing to halt the flow of supplies and munitions to our enemy in North Vietnam by our so-called friends and allies. This administration has available to it sufficient economic weapons to halt the flow of these supplies and munitions from the so-called free world, if it only had the courage to employ them.

I am getting sick and tired of bailing out the English pound everytime it gets into trouble, then have the British ship supplies to our enemies to be used in killing our American boys. There are many other free nations whose economies we have either rebuilt, such as Japan, or otherwise sustained, who persist in shipping supplies into North Vietnam. This should be halted.

Furthermore, Mr. Speaker, this administration should make its gutless wonders in the State Department stop issuing foreign aid to any other nation who continues to ship supplies into North Vietnam to be used against us.

How this Nation can continue to aid, support, and enhance the economies of those nations who are providing our enemy with the means to maim, cripple, and kill American boys is beyond my comprehension. If supply lines and munitions are cut off to the Communists, the fighting will soon cease in Vietnam.

THE GREAT BOSTON POWER PLAY

Mr. McDADE. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. WYDLER] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. WYDLER. Mr. Speaker, in the January 1966 edition of Reader's Digest, pages 99–104, there is a shocking story entitled, "The Great Boston Power Play." In this article Mr. William Hines, science editor of the Washington Star and a nationally syndicated columnist specializing in space exploration, charges and documents what he describes as a banding "together in a unique alliance, NASA and the Urban Renewal Administration" to deliver the goods:

The goal: a grandiose space center. The cost: the rights of several thousand citizens.

Mr. Speaker, I wish to enter in the RECORD the story of this event. The story has as yet no ending. Not all the facts concerning it have yet been made public.

As one who objected to and fought this urban development device from the start and who tried to have NASA choose a different site, I believe we should act now.

I ask my colleagues to weigh the need to spend $100 million to construct this center.

At a time when budgets are being cut and programs reduced, I seriously question the wisdom of this project. Its priority is out of all proportion to its usefulness.

The Congress should consider if in this time of national crisis it wishes to throw good money after bad.

The article follows:

THE GREAT BOSTON POWER PLAY

(NOTE.—Banded together in a unique alliance, NASA and the Urban Renewal Administration are delivering the goods. The goal: a grandiose space center. The cost: the rights of several thousand citizens.)

(By William Hines)

One of the more appalling chapters in the long annals of government empire-building can now be told. It is the classic case of how two tax-fed bureaucracies, one supposedly concerned with slums, the other aiming at the moon, have made a bizarre rendezvous in Boston, Mass. It typifies what can happen in America today under the banners of technology and progress.

The action began in the fall of 1962 when EDWARD "TEDDY" KENNEDY was elected to the U.S. Senate on the slogan, "He Can Do More for Massachusetts." Shortly afterward, the National Aeronautics and Space Administration (NASA) delivered the "more": the space agency announced that it would construct a $50-million Electronics Research Center (ERC) in the Boston area. The Center, which was to be one of a dozen test-and-research installations, would in 10 years employ 2,100 persons and would boast a $77-million annual budget. The need, argued NASA, was urgent.

But some things didn't ring true. Urgent? No such center had been advocated publicly prior to the election. Further, numerous experts were quick to note that the job proposed for the ERC could easily be carried out at existing Government installations. A Senate committee passed a motion eliminating the Center, but the vote was quickly reversed amid reports of phone calls from the White House. Most curious, NASA never bothered to send a site-selection board around the country before picking Metropolitan Boston. With this knowledge the House Space Committee in late 1963 decided that the Center's need was "not conclusively proven" and held up funds until further site studies could be furnished.

To no one's surprise, NASA bounced back in February 1964 with a thick volume favoring Boston over eight rival regions. "The decision was not intended to be changed, and it was not changed," snapped Ohio Senator FRANK LAUSCHE. With the new NASA justification, the project was quickly nourished by a preliminary $3,900,000 allocation.

Now events took an even more curious turn. Originally, NASA had proposed payment of $3 million for 1,000 acres somewhere in Boston's suburbs. This would save the taxpayers the cost of a split operation, since there would be room within the Center for the 400-acre testing ground that was needed. But, as summer approached, NASA was found to be hungrily eyeing an area called Kendall Square in Cambridge, directly across the Charles River from Boston proper.

ENTER URBAN RENEWAL

Crammed with industry and business concerns, Kendall Square lies at the back of the sprawling campus of the Massachusetts Institute of Technology, one of the world's leading scientific universities. Since World War II, more White House science advisers have come from M.I.T. than from any other school. One of these is Dr. James R. Killian, Jr., its current chairman.

In the spring of 1964, three Boston urban renewal officials came to Killian to discuss a seductive idea. Why not clear out a 42-acre tract in Kendall Square with urban renewal funds and sell most of the property to NASA for its electronics center? Not long after, behind closed doors, Cambridge Mayor Edward A. Crane and the city council listened to the same scheme, while Killian, whose name carries tremendous weight in Cambridge, sat by.

The action quickened. On July 2, NASA Chief James E. Webb let it be known that he thought Kendall Square had "the greatest potential" of all the sites NASA had seen. On July 27, the Cambridge city council decided to apply for Federal urban renewal planning funds for the 42 acres and to offer 29 of those acres to NASA. That very day, Urban Renewal Administrator William Slayton gave his "preliminary approval" to the site as "an urban renewal project." And on August 19 NASA formally accepted Cambridge's offer on the condition that it "provide cleared land to NASA under the Federal urban renewal procedures."

It was a splendid arrangement. The glamour of a Federal space center would grease the way for urban renewal which, realistically, didn't otherwise stand a chance of tearing up this thriving industrial area. NASA had captured a prize piece of real estate at a bargain-basement price—roughly $4 million—thanks to the fact that urban renewal would pay most of the "real" cost of the land and would take on the expense and dirty work of removing the occupants. And the Cambridge-Boston area was going to have all that money spent there.

FLY IN THE OINTMENT

There was only one catch: nobody had bothered to ask the opinion of the 94 businessmen and their 3,500 employees who were on the Kendall Square chopping block. Most didn't realize what had happened until they read the newspaper headlines on August 21: "$60-Million NASA Plant To Be Built in Kendall Square."[1] Thus began a nightmare.

Arthur B. Kettle, Sr., executive vice president and general manager of the Austin-Hastings Co., Inc., a supplier of machinery and metal piping, was one of hundreds caught by surprise. He knew that his company could suffer a half-million-dollar loss just trying to move, and that wasn't the worst of it. Ninety-five percent of his orders had to be shipped within 24 hours for him to compete. Yet it would take at least 2 years to move inventory while trucks tried to run back and forth between two plants. "How many customers will we lose in a changeover?" he found himself wondering.

Then there was the problem of the company's employees. Austin-Hastings had a $750,000 yearly payroll of 100 employes and a record of never having laid off a worker. Kettle knew that 3 out of every 10 firms uprooted by urban renewal never reopen. Other executives all over Kendall Square began to face similar harrowing realities.

Taken together, these taxpaying companies (NASA wouldn't pay a cent of taxes) compose one of the most productive industrial areas in Massachusetts. More than two dozen have been in business for 30 years, many for five decades. They have an annual sales volume of $75 million, a $40-million plant-and-equipment value, payrolls of $18 million a year.

But there was more to it than valued businesses. There were people—individuals who would suffer if the businesses moved or collapsed. Among them were refugees from previous urban renewal projects in Cambridge and Boston who had relocated in Kendall Square in the certainty that it was safe. One filling station operator, for instance, had finally built up steady customers after years of sweat. "No one can compensate me for that," he says. Or take the elderly owner of a wrought iron equipment firm—too discouraged and too far in the hole to make a second move because of urban renewal.

VOICE OF DISSENT

Still, because NASA was coming to town, they were supposed to give in meekly. But the planners, politicians, and university titans had miscalculated. Shortly after Labor Day, 1964, the businessmen of Kendall Square formed a Committee for the Preservation of Cambridge Industry. Dr. John Brennan, vice president of the Electronics Corp. of America, was named chairman, and the battle was on.

"The use of the urban renewal statutes to allow NASA in here is a flagrant distortion of the fundamental purpose of the law," Brennan declared. He and others were shocked because, with 29 acres going to NASA (70 percent of the tract),[2] the deal made a mockery of Massachusetts law, which says that urban renewal must give maximum opportunity to privately financed development. The dissenters also fiercely contended that Kendall Square's industrial area, while no garden spot, was far from a decadent area, as local urban renewal authorities desperately tried to prove. The single fact that the 94 concerns were doing $75 million a year worth of business raised grave questions as to the morality of bringing in the Federal bulldozer.

Confronted by organized opposition, NASA mounted a high-powered campaign to promote the space center. It set up temporary headquarters in an office building (partly owned by MIT), next to the proposed site. And Edward Martin, a former TEDDY KENNEDY aid, was hired to handle public relations. Added to this was a never-ending string of local speaking engagements by ERC officials. These talks oozed with juicy statistics. The Center would bring 5,800 jobs to the area and $450 million in buying power. That didn't count oodles of construction jobs over a 5-year period. And out of a $35 million budget for operating costs, much would be contracted to local industries.

LET THERE BE BLIGHT

Meanwhile, the urban-renewal forces moved in for the kill. Late in 1964, a press release from Washington announced a $100,000 feasibility survey to determine whether Kendall Square was eligible for urban renewal. There was no pretense as to the outcome, however: the release sweepingly labeled the area as blighted.

As this campaign of disparagement went on, debate raged over how much the land taking and clearance would cost. The industrialists contended that the total expense could easily climb over $40 million. Urban-renewal authorities stuck to a ridiculously low $20-million figure. Only one thing was sure: U.S. taxpayers would ultimately have to pick up most of the bill, whatever it turned out to be. And the 400 acres of testing ground still had to be purchased somewhere in the suburbs.

In explaining just why the Kendall Square location was so vital, NASA outdid itself. The ERC should be within walking distance of MIT, it pointed out. An extra inducement was needed to draw some 450 junior scientists to NASA for work at $6,000 to $9,000 a year. With this location, said NASA, these young men could, if they wished to study for an advanced degree, get to graduate-school classes at MIT and Harvard with a minimum of lost time.

[1] The project's pricetag had already risen by $10 million.

[2] MIT had already said it would be "willing" to help develop the other 13 acres—set aside for private (nonindustrial) use.

To businessmen who saw generations of enterprise going down the drain, this was almost the last straw. Why, they asked, should 3,500 persons be uprooted to pamper 450 junior scientists?

It was all the more preposterous because a mere 3 miles down the Charles River from MIT the Defense Department's 119-acre Watertown Arsenal was in the process of being closed down. A simple solution was apparent to every rational mind: let the Army move out and NASA move in. But simple solutions are not Washington solutions. NASA rejected Watertown, giving as its main argument that the arsenal was too far from MIT. By private auto it is 10 minutes away; by public transportation (20 cents), no more than 20 minutes. No go: apparently the public-transportation problem—one transfer—was too complex. (For an electronics engineer?)

Representative SILVIO CONTE, of Massachusetts, angrily observed: "Any private business that bungled its affairs in this way would go bankrupt."

SMEAR TACTICS

In April 1965, another announcement issued from urban-renewal headquarters. Surprise. The $100,000 feasibility study showed that the Kendall Square site was "an eligible urban-renewal area." So $401,200 more was funneled out "to begin survey and planning activities." Now a tax-fed smear of Kendall Square was a simple matter. Owners complained that urban-renewal investigators tried to muscle their way into buildings with city fire inspectors to look for "defects" in order to make the area appear "decadent." One owner discovered a photographer on his property attempting to get an unfavorable angle on a warehouse behind his parking lot.

The going was to get even rougher. During congressional testimony, Housing and Home Finance Chieftain Robert Weaver dropped the remark that if NASA didn't get the Center in Kendall Square, "they will not do it in Massachusetts at all." Protesting businessmen suddenly discovered that friends and colleagues considered them "unpatriotic" and "selfish" for standing in the way of the space program.

MOMENT OF TRUTH

Finally, on August 30, a public hearing on the urban-renewal plan was held in the Cambridge City Council building. Just days before, NASA unveiled a model of the Center's 26-story building, and one newspaper reported that space officials "beamed like players on a winning football team." Then, at the meeting, ERC Deputy Director Albert Kelley, leading off for NASA, delivered the familiar sales pitch: the center would create at least $450 million of "induced income" in the area over the next 10 years.

Dr. Brennan arose. "Our companies exist now," he replied. Nathan Matz, president of Automotive Warehouse, stood up. "Not one of you has ever visited us," he told the council. "No one has taken the time to come in and see what this is all about."

Then an outraged citizen, John L. Warden, spoke: "Fixing up neighborhoods is one thing. But destroying the property of one person so that another may have it for his own use is immoral, unconstitutional, and detrimental to our city. If this sort of program is allowed, it will not stop until people who want to build new buildings at the public expense have taken every acre they happen to desire."

Minutes later, the council voted 6 to 3 in favor of the urban-renewal plan. Another community had succumbed to the lure of the Federal dollar—and the space age. A month passed, and the property owners, vowing to take their case to the courts, made one last presentation to the Division of Urban Renewal of the Massachusetts Department of Commerce and Development, which must pass on all urban-renewal plans. This agency held a hearing, but on the same day word was let out by urban-renewal officials in Washington that Cambridge had received approval of $15,330,000 for the Kendall Square project. The onrushing Federal bureaucracy had not even bothered to wait for the State's rubberstamp. (The State agency approved the plan on October 8, and the Kendall Square property owners have gone to court.)

"This approval," proclaimed the Urban Renewal Administration, "will permit the start of land acquisition, relocation of site occupants, and site clearance and preparation."

Then came these words: "The National Aeronautics and Space Administration has expressed interest in building a new space center in the major part of the area."

Surely that will go down as the understatement of the year.

MAJ. GEN. IRVING LEWIS BRANCH

Mr. McDADE. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. REINECKE] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. REINECKE. Mr. Speaker, "Twig" Branch is gone. He died as he had lived: in the service of his country.

His full name was Irving Lewis Branch, but few knew him by his real given names, for he loved to be known as "Twig." Statistics could be recited ad infinitum about the life of Maj. Gen. "Twig" Branch. Statistics, though, are meaningless and not long remembered.

The man himself will be remembered fondly by his many friends for his humility and compassion as well as his outstanding military accomplishments long after it is forgotten that he was born in Iowa, or that he became an aviation cadet upon his graduation in 1934 from Norwich University, or that he became commander of the Air Force Flight Test Center at Edwards Air Force Base, Calif., in July of 1961.

"Twig" loved to fly, and had over 7,000 hours to his credit. About to finish out his lifetime of service, "Twig" had given more than 30 years to his countrymen. Less than a year ago, they had honored him with the rank of major general in the U.S. Air Force. In a few short months he could look forward to well-deserved years of retirement in California's beautiful Antelope Valley.

But now, God has willed otherwise, so we pay tribute to his memory and ask God to give courage to his wife of 27 years and to his two sons, who can take pride and comfort in knowing that, in every way "Twig" Branch was a man whose life was a symbol of greatness.

NEED FOR FURTHER REVISION OF IMMIGRATION ACT

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Massachusetts [Mr. CONTE] is recognized for 30 minutes.

Mr. CONTE. Mr. Speaker, shortly before the Christmas holidays I was pleased to accept an official invitation from the Polish Government to attend dedication ceremonies of a new children's hospital in the city of Krakow, Poland. The new hospital, at the moment probably the finest of its kind in the world, was financed largely through U.S. counterpart funds in Poland and through direct foreign aid appropriations of some $2.2 million. It was therefore deemed fitting and proper for a delegation of U.S. officials, including Members of this and the other body, to participate in the formal dedication of the facility. I was most honored to be a member of that delegation along with my distinguished colleague from the Second Congressional District of Massachusetts, Representative ED BOLAND.

Not only was the trip a most worthwhile gesture of our personal interest in the people of Poland, it also proved to be informative in a way that no book or news story could be by providing insights into the mood and feeling of the Polish nation, as well as the facts of its present status.

The hospital itself is one of the soundest investments we could possibly make in the interests of better understanding between ourselves and the captive peoples behind the Iron Curtain. I have no doubt whatsoever that the dividends from the Krakow Children's Hospital will be immeasurably greater than those we stand to gain from our investment of military equipment to some of our less stable and insecure allies.

The fact that it is a children's hospital makes it all the more fitting in view of the innate devotion of the Polish people to home and family. In spite of the cruel treatment the Polish people have endured over the last several generations, they remain strong in their faith in God and in the tenets of a God-fearing society. I am, and I am sure I can speak for my friend and colleague as well, grateful that this trip gave us the opportunity to renew our acquaintance with these freedom-loving people and to reaffirm the kinship which has existed between Poland and the United States since the birth of this republic.

Bearing these thoughts in mind, the American traveler in Poland is more acutely aware of the paradox of a nation of people so closely resembling our own with many identical ideals and beliefs being held captive by a totalitarian regime; a foreign government for all practical purposes, since the policies of Warsaw are clearly drafted in Moscow.

It is shocking for us to realize and difficult for us to accept the fact, for example, that here is a government that can and will forbid a holy pilgrimage by a prelate of the Catholic Church, as the Warsaw Government recently denied a travel visa to Rome for Stefan Cardinal Wyszynski.

We had the good fortune to be in Warsaw when Cardinal Wyszynski first returned from the Ecumenical Council meetings at the Vatican. The cardinal was in ill favor with the Warsaw Government even prior to the council meetings. But his return to Warsaw in December was a triumph. We had hoped to attend the mass he scheduled the evening we

were there, but we were unable to get near the church through the throngs of loyal Polish citizens. In spite of the obvious displeasure of their government, an estimated 10,000 people gathered in the streets around the church. There were no microphones or public address broadcasts of the mass. These people, unable to hear a word, just wanted to be near him. It was an overwhelming example of support for their cardinal and their church.

Although arbitrary edicts by the Communist government are an obvious effort to subordinate all things to the will of the state, it is equally clear that they have so far failed to subordinate the spirit of the Polish people.

Certainly it as our recognition of this kinship, this similar spirit between the United States and God-fearing, freedom-loving peoples all over the world that encouraged this Congress to enact sweeping reforms in our immigration and naturalization code last year. The changes made in the code by the 1965 amendments were long overdue and necessary.

But as comprehensive and forward-looking as these revisions have been, they cannot be regarded as the last word. They are an important step forward, a giant stride in the direction of a more realistic, responsive, and economically sound immigration code.

But because such laws influence the lives of thousands of human beings every day, they must never be frozen or solidified into a rigid standard that would apply the same specific criteria to all with no chance for appeal and no recourse. Such laws must always be pliable. They must be altered and changed to meet the requirements of a specific time and a specific group. They must be responsive to the needs of the situation for which they are implemented.

It is in this spirit and attitude that I am today introducing legislation to eliminate what I feel is a serious flaw in the present law; an inequity that works to the disadvantage of the captive peoples behind the Iron Curtain—the very people we should bend every effort to help.

The legislation I am introducing today is the direct result of facts and personal impressions which we gained during our brief visit in Poland. It is in response to our commitment to the principles of freedom and dignity for all men that I lay these bills before the Congress and urge their prompt and favorable consideration.

The first proposal would amend section 212(a)(14) of the Immigration and Nationality Act to waive the requirement for specific certification by the Secretary of Labor that admission of unskilled or otherwise nonpreference aliens from Communist or Communist-dominated countries will not effect a labor-surplus area or situation.

As the law now states, the Secretary of Labor must certify, first, that there are not sufficient workers in the area to which the immigrant worker plans to go; and second, that his presence in that labor market will not adversely affect wages and working conditions there.

Unless this provision is amended, issuance of nonpreference visas to Poles will drop to virtually nothing since the majority of applicants are in the class of workers covered by section 212(a)(14).

My bill would amend the provisions only with respect to Communist or Communist-dominated countries. It would not affect workers in the unskilled or nonpreference category from other countries. I feel on the whole that the provision is a necessary safeguard against needless adulteration of the American labor market. I do not suggest we should tamper with this section beyond the scope I have mentioned.

The second bill I am offering would amend section 201(d) of the same code to allow quota numbers which have been transferred to the immigration pool, under terms of the 1965 amendments, to be made available for issuance of visas to nonpreference immigrant aliens.

Of course, such nonpreference aliens would still be subject to the other restrictions and qualifications in the law, such as section 212(a)(14) which I have just discussed. It seems to me that if a nonpreference alien could pass all the other necessary and worthwhile tests, he should not be penalized simply because he had no legal access to unused quota numbers.

I supported wholeheartedly the enactment of our amendments to the immigration code last year. I had even introduced legislation of my own which was very similar to the bill that finally passed the House and Senate and was signed into law by President Johnson. I feel that the two amendments I have proposed today would further strengthen our immigration code by making it more realistic and more responsive.

Mr. BOLAND. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. BOLAND. Mr. Speaker, I commend the gentleman from Massachusetts, my distinguished colleague, Congressman CONTE, on his statement to the House. I join him in the sentiments he has expressed about the Polish people, and I have cosponsored with Mr. CONTE the needed corrective amendments to the 1965 Immigration Act to help captive peoples, such as those in Poland.

Mr. Speaker, both Congressman CONTE and I were members of an official delegation from the Congress of the United States to attend the dedication of the magnificent new children's hospital in Prokocim, a suburb of Krakow, Poland. The delegation was headed by the distinguished House chairman of the Foreign Affairs Committee, THOMAS E. MORGAN, and included Senator HARRISON A. WILLIAMS, Congressmen JOHN C. KLUCZYNSKI, ALVIN O'KONSKI, EDNA F. KELLY, CLEMENT ZABLOCKI, HENRY HELSTOSKI, ROMAN C. PUCINSKI, JAMES FULTON, LUCIEN NEDZI, and CHARLES A. VANIK.

The idea of constructing a children's hospital in Krakow originated in 1958 with Mr. Wladek Biernacki-Poray, a Polish-born American architect from New Jersey. Legislation to accomplish this end was filed in 1959 by Congressman ZABLOCKI and supported in the Senate by the then Senator HUBERT HUMPHREY. The proposal permitted the use of foreign currencies generated from the sales of surplus foods, to be used abroad for the support of research hospitals sponsored by American citizens. The U.S. Government has millions of dollars of Polish zlotys resulting from such sales. These are known as counterpart funds.

The 311-bed hospital will have a staff of about 650 doctors, nurses, and medical technicians. The U.S. Government contribution is in two parts, $8.2 million in Polish zlotys and $2.2 million in dollars for the purchase of equipment in the United States. The Government of Poland contributed about $1 million in land and services. The Committee for the American Research Hospital for Children in Poland contributed $1 million in services, supplies, and equipment. The Medical Academy of the Jagiellonian University in Krakow will administer the hospital. This academy is one of the finest in Europe and is over 600 years old.

Congressman CONTE and I and the entire delegation agree that this hospital is a magnificent expression of the American peoples' continuing good will to the people of Poland. The gratitude of the Medical Academy and the ordinary Polish citizen was generously reflected in the dedication ceremonies. Even those in official position with the Polish Government who attended the dedication were moved to praise the building of the hospital.

Mr. Speaker, all of us hope that it augurs well for future relations between the United States and Poland. The dedication date came at a particularly propitious time. Ambassador John A. Gronouski arrived in Poland as the representative of the United States just 2 weeks before and as he put it:

> I'm the only Ambassador that I can recall who has been in his assigned post such a short period of time and presented such a splendid expression of my Government's affection and good will.

As we left the hospital grounds, hundreds of people had gathered around the gate forcing Ambassador Gronouski to stop his car to receive their flowers, to grasp their hands and to listen to their warmhearted greetings. It was a sight to behold and one that will always be remembered. The flags of the United States and Poland were flying at equal height on two separate staffs as a further and emphatic example of the bond of friendship that exists between the peoples of these two countries.

The gentleman from Massachusetts, Congressman CONTE, has just told you how we had the good fortune to be in Warsaw on Cardinal Wyszynski's triumphal return to his episcopal see following the close of the Roman Catholic Church's Ecumenical Council, Vatican II, in Rome. The brilliant and holy archbishop of Warsaw and cardinal-primate of Poland has frequently clashed with the Communist-dominated government over the Roman Catholic Church freedom and position in Poland. But now the government was about to impose new and harsher edicts on the cardinal's freedom of movement because he had joined the Polish bishops in inviting the German Roman Catholic bishops to

Warsaw for the celebration this year of the millennium of the founding of Christianity in Poland. The Polish Government last week refused to let Cardinal Wyszynski journey to Rome to join Pope Paul VI for the solemn pontifical mass in the Vatican last Thursday marking the opening of the millenium observances which will last through 1966. This action of Polish Government against their spiritual leader certainly will not be condoned by the average Polish citizens who revere Cardinal Wyszynski. As the gentleman from Massachusetts, Congressman CONTE, pointed out, some 10,000 Polish citizens stood outside his cathedral, without the benefit of public address system, just to be near the cardinal as he sang solemn pontifical mass on his return from the Ecumenical Council.

Mr. Speaker, the need for the legislation the gentleman from Massachusetts, Congressman CONTE, and I introduced today was pointed out in a news story from Warsaw by David Halberstam in the New York Times on February 10, 1965, before the Immigration Act of 1965 was enacted by Congress last year. Under previous permission I include this article with my remarks at this point:

[From the New York Times, Feb. 10, 1965]

VISAS TO THE UNITED STATES STILL ARE A DREAM FOR MANY POLES—LONG LINES FORM BEFORE THE U.S. EMBASSY, BUT RESTRICTIONS BAR MOST WHO APPLY

(By David Halberstam)

WARSAW, February 9.—The trains from the country generally arrive in the early morning. Consequently, the lines of country people begin forming outside the U.S. Embassy about 6 a.m. There the people wait patiently, in their Sunday best, often with packed lunches and dinners until the Embassy opens at 8 a.m.

They come because they hope this trip from the country will be the first step on a longer journey to the United States. Although the great waves of immigration have ended, for many Poles, America is as much as ever the promised land.

Their numbers far exceed the places for them. Only about 7,500 Poles can be admitted to the United States each year, but last year about 20,000 registered for visas.

Americans here believe that if the requirement for American sponsorship of Polish immigrants were dropped and if the Polish Government would let more Poles go, the emigration rate might be astronomical.

EIGHTY THOUSAND ARE WAITING

Right now 80,000 Poles are registered and waiting for visas. Papers of those who registered in 1959 are only now being processed by American consular officers.

It is believed here that even if President Johnson's new immigration proposals are passed by Congress, they would have little immediate effect on Poles. The Johnson proposals would strip the national origins basis from immigration, allowing applicants to be judged primarily on the basis of their skills and their ties to families already in the United States.

While this would eventually help Poland, countries such as Italy, Greece, and Portugal have even greater emigration backlogs and they would be the more immediate beneficiaries. After about 5 years, however, the new rules might give Poland up to 10 percent of the overall quota of 165,000—or 16,500—a year.

This, however, would probably only bring a marked increase in the number of applicants for visas. Periodically rumors spread that immigration requirements have been eased, and the U.S. Embassy on such occasions is beseiged with potential applicants.

While many of those wanting to leave have reasons based in politics or religion, the major reason seems to be simply desire for a better life, more economic advantages. In many villages it is a time honored idea that the best thing a family can work toward is emigration to America.

One Pole explained to a consular officer that he wanted to emigrate to the United States "because if you please, sir, they have got it better there."

Another explained that he had been forced to sell two horses this winter because there was no fodder to be bought to feed them. A third said that he rose and went to work at 5 a.m., worked until midnight, "and for this I want more than just a piece of bread."

Ironically, the very hardship of the lives of country folk makes it easier for them to get passports. The Government is less willing to allow trained and skilled people to leave the country. Many of those who are trained and educated are hesitant to apply for emigration for fear that they will be turned down and that their futures here will be hampered.

Those who do leave come, as did Poles at the turn of the century, from two main areas—Bialystock in the northeast and Rzeszow in the southeast.

These areas lack industries. The people in these areas know many Poles in the United States, and they can find sponsors.

THE URBAN TRANSIT CRISIS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 20 minutes.

Mr. HALPERN. Mr. Speaker, I wish to comment generally on the growing crisis facing urban commuter travel, hoping that it will help to awaken the Congress and every national segment to the dire urgency which exists.

Our cities are fast approaching a state of total paralysis in the day-to-day movement of people and goods. Moreover, as urban centers absorb an increasing percentage of the Nation's population, this problem of transportation will grow more acute, unless local authorities, State governments, and in turn the Federal preserve can move intelligently to encourage the resurrection of efficient transit systems.

Although specifics vary, most of the country's large cities confont a similar dilemma. The rub is providing access to the urban core where people journey every day to earn a living, and where additional thousands are attracted to cultural and entertainment establishments. To move people where they want to go, we rely on the automobile, bigger and better highways, and forms of public, mass transportation.

These persons, who are growing in numbers, descend upon a geographic radius of business concentration which does not appreciably expand. Commuter lines are strained to the limit.

Business, culture, and retail outlets in our cities are becoming inaccessible.

Modes of travel to the city proper have not kept pace with commuter demand. The result is chaos during the two periods of the day when people are traveling to and from work.

This brief dichotomy may seem overly simplistic. The problem per se is not difficult to grasp. But to solve it is very challenging indeed; witness, if you will, the many divergent proposals of planning committees all across the country which conflict on the means to employ.

Nevertheless, they have done us a great service by clarifying the complexities involved. Private research groups have often proved to be years ahead of stubborn local authorities, competing with one another, suspicious of schemes which may circumvent or undermine their powers, all the while subverting the public interest by providing us with less than the best. With respect to my own great city of New York, the Regional Plan Association has made a handsome contribution in this field.

Urban downtown areas are losing commerce and industry. The New York Times reported on August 4 of 1964 that 34 companies left New York City during the previous 4 years, relocating on nearby Long Island. Parking problems, traffic congestion, and other transport inconveniences were quoted as prime factors.

While all this has been taking place, highway construction in and around our great cities has multiplied.

The vast Federal outlays for highway construction contrasts sharply with the gloomy transit picture. In transportation the overriding Federal emphasis has been directed toward facilitating automobile travel, improving road access to the Nation's cities. It is no wonder that city streets are clogged with cars.

The Federal Aid Highway Act of 1964 authorized $2 billion from the highway trust fund for primary and secondary road systems. This authorization does not include sums earmarked for the Interstate System. For fiscal year 1966, $250 million was authorized for urban highway construction. For New York State in fiscal year 1967, more than $28 million is apportioned for urban highways.

I thoroughly agree that we must continuously enlarge and better our primary and secondary roads, including those in and around the Nation's urban centers. I have no argument against the Federal highway program. It has been a necessary project.

But mass transit has deteriorated in comparison.

There has been no coincident pumping of funds into public transportation. Bigger and better expressways have lured commuters away from public transit, which goes deeper and deeper into debt as service declines. During peak hours, cars carry an average of only 1.3 to 1.5 occupants. At high cost, additional freeway lanes are built onto existing arteries, utilized fully at rush hour only. Because of the highway's limited peak-hour capacity, the automobile is the least efficient means of transporting multitudes to and from small geographic areas.

The transit problems afflicting Queens Borough of New York City are indicative of the worsening trend. In the subway system, the Main Street, Flushing, station is one of the few points to show a constant gain in passengers since World War II. Citywide, subway commutation decreased 13.4 percent from 1953 to 1963; Flushing riders increased by almost 11

percent. Queens, of course, is increasing in population; Manhattan is losing it to suburban and semisuburban communities. People have taken to their automobiles.

The overcrowding on Flushing and Jamaica subway trains is monstrous, a clear indictment of the negligence and inaction which has characterized the execution of policy in a great metropolis. The City Planning Commission stated in 1963 that in the Flushing IRT line and the Queens Boulevard IND line, subway trains between 8 and 9 a.m. daily carry 22,000 more commuters than can be considered a reasonable level of crowding. This is expected to triple in the next 20 years.

I know these problems are not unique. They are problems which face every major American city to some extent.

I think we need better roads, and plans for the future cannot exclude further highway construction where it is needed and when it is rationally allied with a coordinated metropolitan transit program. The answer in New York, however, is not to spend public moneys widening the West Side Highway to the disadvantage of better mass public transport; in the same context, although I favor an additional Queens midtown tunnel tube, it is a costly venture and should not be undertaken without insuring simultaneously that forms of public transport are improved in speed, access, safety, cleanliness, and capacity.

The dividends of improving commuter rail service are much greater than building additional access roads; urban freeways are attractive solutions because of Federal assistance, of course, but in the absence of this incentive the urban freeway mile averages about $3,700,000. In Boston, 1½ miles of urban freeway through a downtown area cost $40 million. Some have estimated that a crosstown artery in Manhattan would cost $100 million per mile. Urban freeways, moreover, bite into local tax rolls by swallowing valuable land. In comparison, San Francisco's modern rapid transit plan cost $13 million per mile, and has a rush-hour capacity of 30,000 seater passengers, as against a hypothetical 8-lane freeway which could only accommodate a maximum of 8,000 cars with 12,000 rides. This kind of transit system, naturally, required a narrower right-of-way and no downtown parking outlets.

I am convinced that solution to our hard-pressed commuter problem does not lie exclusively with expanding road approaches to urban centers. Without improving mass transit, furthermore, such imbalance will exacerbate the mid-town traffic problem by beckoning more commuters to use the new roads, sending public transportation further into debt and flooding city streets with more automobiles.

We can similarly apply this formula to intercity travel. The New Jersey Turnpike Authority is planning to sell a $623 million bond issue to finance widening of the approach to New York. Considering the volume of traffic, this is not unjustifiable. But it will attract more cars to New York City. It seems to me that at the same time, the affected States must join together to speed the development of fast rail service between Washington and New York.

The New York situation has been highlighted by a recent costly transit strike, freezing all modes of public transport. Millions of dollars have been lost because of the impasse. The inconvenience to traditional bus and subway users is indescribable.

The experience reminds us in shocking detail of the vulnerability of giant urban communities. Without means of access they are isolated; business collapses and people simply cannot get to work. Cities are literally defenseless against colossal organizations which represent an essential commodity. The power failure which blacked out New York is not unlike our more recent adventure with the transport shutdown.

It seems to me that we can do something to assist in solving the acute urban transit problems. This remains an area of local and State jurisdiction. It is not the prerogative of the Federal Government to dictate solutions to local transportation authorities. But we can make available financial assistance which will rectify the existing imbalance in favor of highway travel, and furnish some of the means necessary for research and improvement.

The Congress must act speedily to pass two bills which I am privileged to cosponsor in the House. One of them, H.R. 10172, first introduced by Senator TYDINGS, permits States to direct part of their Federal highway allocations toward mass transit systems. This will hopefully restore some equity to the Federal Government's approach to transportation.

Second, I am sponsoring H.R. 9997, first proposed by the gentleman from Wisconsin [Mr. REUSS], amending the Mass Transportation Act of 1964 to provide for technological research into new, streamlined forms of commuter service. We need this desperately. It will not be good enough to rely solely upon conventional bus and rail facilities in the decades ahead. To attract riders away from the automobile must constitute our principal objective, in order to untangle the urban traffic jams and make modernized public transport reasonably self-sufficient. We need research to hatch new concepts of commuter travel that can compete effectively with the relative comfort and convenience of the family car.

I am certain, however, that further assistance is needed. I welcome President Johnson's proposal for a new Federal Department of Transportation. Additional legislation should be drafted to assist urban transit systems in meeting part of their operating deficit on a matching basis. This can only be viewed as a stopgap measure, of course; it is self-defeating and unproductive to subsidize urban transportation systems when too often these systems lack any prospect for technical advancement or self-betterment. Without providing the means toward improving conditions, a subsidy would merely perpetuate inadequacy.

Hence we need legislation which authorizes increased assistance toward urban mass transit systems for modernization of facilities. This should be made available to municipalities, contingent upon two assurances: first, that all autonomous urban units dealing with transportation are integrated into one authority; and second, that this authority demonstrate the will and ability to come forward with long-range, comprehensive programing to meet the city's present and anticipated transportation demands.

I emphasize this latter point because one mode of travel affects every other. A new, urban freeway will enhance automobile traffic on city streets, but it may also attract subway riders and add to the line's operating loss. All this must be properly coordinated by a single unit where finances are pooled for the benefit of all commuters. I suggest that we should expect coordination and intelligent planning before the Congress commits additional revenue.

We cannot afford to cater to one group of commuters while ignoring others. What, for instance, will be the impact of constructing a crosstown automobile artery in mid-Manhattan? Will the bridges and tunnels be capable of handling the new flow? What will happen to access roads leading to this new artery? Will not traditional subway and bus routes be disadvantaged, and, if so, to what extent? Is this the best way to improve short-haul travel in midtown? Does this artery represent a priority claim on public funds?

I submit that these questions are very much in order in any rational planning undertaking for transportation. Only a citywide, coordinated transportation authority can initiate the long-range planning of commuter services in an honest and forthright fashion, without prejudice, without haphazard commitments, without waste of public funds. City governments which have not yet done so must move to merge funds and jurisdiction in the field of transportation.

The Congress must encourage the modernization of mass transit, making it swift, clean, safe, and comfortable. I hope that we can produce new programs that will help arrest the tide that is making urban transit a monstrous failure in this scientific age.

BALTIC STATES CONTINUE FIGHT FOR FREEDOM

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. ROONEY] is recognized for 15 minutes.

Mr. ROONEY of New York. Mr. Speaker, on November 13 I had the honor and privilege of addressing the Baltic States Freedom Rally at Madison Square Garden in New York City. More than 25 years ago, the Russian Communist Government moved its military might into these three tiny, but proud states—Estonia, Latvia, and Lithuania—to liberate them. As always, the Russian liberation meant an end to freedom and the beginning of a nightmare of tyranny,

terror, and godless totalitarianism. Despite overwhelming odds and a Western indifference that leaves the soul cold, these people have not quit the battle—as witness, the 13,000 who filled Madison Square Garden at noon on November 13. In their honor, I would like to have included in the RECORD the brief remarks I made on that occasion. While these remarks do not offer the solution to the problems of these fine people they do serve to show that their fight has not been forgotten by this country, President Johnson and U.N. Ambassador Goldberg. The American people join with freedom loving people the world over in praying that true liberation and freedom will be returned once again to the Baltic States.

REMARKS OF CONGRESSMAN JOHN J. ROONEY, DEMOCRAT, OF NEW YORK, AT THE BALTIC STATES FREEDOM RALLY, MADISON SQUARE GARDEN, NEW YORK CITY, NOVEMBER 13, 1965

Mr. Chairman, Reverend Fathers, and my friends, I want you to know at the outset that I count it a real honor to be invited to address this distinguished audience and to participate in this historic event. It is heart-warming to be among so many of my old friends. It is with sincere pride that I join with you, my local fellow Americans, in your battle for the freedom of your oppressed countrymen. This is indeed a battle for the peace of the world.

You are in the forefront of the same dedicated cause to which His Holiness Pope Paul is so devoted. I am sure that all of you received from His Holiness Pope Paul on his recent visit to this country tremendous encouragement to continue your efforts in behalf of others less fortunate than ourselves. One of my most gratifying and impressive experiences was to participate in the historic meeting of our President with His Holiness at the Waldorf Astoria Towers on October 4. Today, as I take a part in this moving demonstration with you who have come from all over the country, I feel more of an American than ever.

My friends, it is important that Americans be stimulated to keep fresh in their minds the tragic fate which befell your fathers and mothers, your brothers and sisters, your kinsmen, and your friends when the Soviet Union committed one of the blackest crimes in the history of mankind. What greater example of deceit was the purported liberation of Lithuania, Latvia, and Estonia when in 1940 the Russians moved their military might into those small liberty-loving countries.

What a mockery of justice and what a prostitution of common decency was that illegal act of a mighty nation in swallowing up a small suffering wartorn one. Significant as was the savagery of the initial act of occupation, but it was to be exceeded by even more ruthless acts of Communist oppression. It was the forerunner of suffering, injustice and a shocking loss of life. But it gave advance warning of the rule of terror, the forced subjugation of proud people and the mass deportation of loyal citizens.

I am proud not only that my country has continuously condemned the atrocious act of the Russians in their illegal annexation of Lithuania and her sister Baltic States, but that the United States has been steadfast in refusing to recognize any Soviet interests in these states.

I am proud that I have been permitted to introduce and support legislative measures to secure remedial action through international tribunals.

I continue to join with those who today seek to obtain consideration of this tragic problem by the United Nations. I plan to discuss with the distinguished Ambassador to the United Nations, Hon. Arthur J. Goldberg, certain positive approaches which should be made to accomplish maximum results from any United Nations action.

For 25 years your kinsmen and your friends have suffered at the hands of their Communist slave masters. But in spite of deprivations, in spite of the loss of self-determination, the people of Lithuania, of Estonia, and of Latvia with your help and encouragement, have preserved an undying desire to live as free men. They have nourished and kept vibrantly alive a national spirit predicated on the dignity of man. But they need our encouragement to carry on. They need the help of the free and independent countries of the world to help them to preserve the ideals which they hold dear and to preserve for posterity the culture and traditions which you and they value almost as much as life itself.

They need more radio broadcasts by American facilities to give them in their own tongue by their own countrymen a continuous program of truth and factual information to offset the effects of a Communist-controlled press. They need the maximum in our continued flow of gifts of food, medicines, and clothing. These vital essentials of life must get to them without the loathesome tax which you might now pay before shipment and delivery to the addressee can be assured. I am asking our Department of State to give this matter priority attention.

America can be grateful for the glorious contributions made to this country by those who were successful in fleeing the oppression of both the Nazis and the Reds. You, through whose veins flow the proud blood of Lithuania have enriched America by your industry, your culture, your art, and most significantly your passionate love of independence.

I am proud that only a few weeks ago it was my honor to serve as Chairman of the Whole House on the State of the Union and guide our great immigration bill through to sucessful enactment. I rejoice that this country can now extend the hand of welcome to those who like so many of you, can and will contribute greatly to America's growth and success.

I feel it is important to remind you that we who can enjoy unfettered freedom should rejoice and be ever grateful for it. Whenever we as Americans start taking our liberty and our independence for granted, even then freedom may begin to vanish. Whenever we become complacent about the denial of freedom to our fellow men regardless of nationality or race or color, and whenever we cease to fight all types of enslavement and oppression, even then we are guilty of a devaluation of our own freedom.

It is important for all Americans and particularly those of us assembled here today to be reminded of what our great President, Lyndon B. Johnson, said with regard to our precious commodity, freedom, and our personal responsibilities for the preservation of liberty.

Speaking before a distinguished group assembled on Liberty Island to witness his signing of the historic new immigration bill, the President stated, "When the earliest settlers poured into a wild continent there was no one to ask them where they came from. The only question was: Were they sturdy enough to make the journey, were they strong enough to clear the land, were they enduring enough to make a home for freedom, and were they brave enough to die for liberty if it became necessary to do so."

It is important that every American ask himself time and time again the President's questions: "What am I doing to make a home for freedom?" And, "Am I brave enough to die for liberty if it becomes necessary to do so?" All of us can rejoice that millions of Americans can and do answer both of these questions in the affirmative.

It is important that your fine Lithuanian American organizations and those serving Latvian and Estonian interests as well as so many of you as individuals are dedicated to the task of restoring independence and sovereignty to the country of your birth. I am sure that Americans everywhere are impressed by your devotion to the cause which you espouse. America recognizes, too, the depth of your loyalty to this your adopted country. As one of these Americans I congratulate you on your great work and on your zeal to have a massive wrong righted. To the maximum extent of my ability I pledge to support your efforts and the efforts of others to achieve independence and the opportunity to enjoy a democratic way of life for all peoples who today are enslaved.

May God grant us all the wisdom and will to erase soon one of the horrible blots on the pages of history. With His help may we bring to the saddened and discouraged grownups and to the eager aspiring youth of your homelands the golden light of freedom. May we return to them the glorious vision of a land of opportunity and hope for themselves and their children, and may we forever help them to banish the blackness and despair of perpetual night and live again in the light and warmth of independence.

LET US STOP ALLIED SHIPMENTS TO NORTH VIETNAM

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. OTTINGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. OTTINGER. Mr. Speaker, last April, following the President's historic address at Johns Hopkins University, I called for a greater commitment in southeast Asia by our allies, especially Great Britain and France. Not only have our allies failed to make such a commitment, but they have been continuing to make shipments of cargoes essential to the economy of North Vietnam.

I am certain that all Americans want a meaningful and honorable peace to be achieved in Vietnam. I believe the President has made a supreme effort toward that goal. However, the fact remains that we are at war with North Vietnam and American boys—husbands and fathers—are being killed in increasing numbers in that war.

Although allied shipping to North Vietnamese ports has declined during the past year, from 7 to 15 British-flag vessels a month land such vital supplies as oil at Haiphong and other ports. More than half the free-world ships which sent cargoes to North Vietnam in the first 6 months of 1965 were British.

This deplorable situation must not be permitted to continue. I am well aware that allies shipping to North Vietnam has declined steadily and that U.S. diplomats are continuing their efforts to effect further reductions. But this is not enough. As long as American soldiers are fighting and dying in Vietnam, no nation of the free world must be permitted to send supplies to their killers. If it takes more than diplomatic representations, even if it takes an outright embargo on allied shipments to North Vietnam, then we must take that step.

If the lives and safety of Americans mean anything to the administration, it will take the necessary steps to stop allied shipping to North Vietnam at once.

I therefore urge my colleagues to join me in requesting President Johnson to put an end to the free world supply line into North Vietnam.

IMPROVING THE SMALL BUSINESS LOAN PROGRAM

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. CORMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. CORMAN. Mr. Speaker, the small businessmen of our Nation are now facing a grave crisis in securing credit to expand and strengthen their firms.

The action of the Federal Reserve Board in raising the rediscount rate is already resulting in higher credit costs for small businessmen. Ordinarily, some relief would be available through the programs of the Small Business Administration. However, the SBA has been forced to resort to the drastic alternative of not accepting applications for loans either under the regular business loan program or loans under the Economic Opportunity Act of 1964. This crisis has been precipitated by the drain on loan funds caused by the earthquake in Alaska, the Mississippi River floods in the Midwest, and Hurricane Betsy. Certainly everyone would agree that disaster loans should continue to be available in areas where they are needed. But, the extension of disaster loans should not be permitted to cause a breakdown of the regular loan programs throughout the Nation.

Therefore, I am pleased to join with Senator PROXMIRE of Wisconsin in introducing legislation which will provide for separate revolving funds rather than the present combined fund. Three funds will be created. The first fund will be used for loans under the regular business loan program and economic opportunity loans. The second fund will support the disaster loan program. The third revolving fund will be used for programs under the Small Business Investment Act of 1958. This legislation is designed to provide a simple and effective preventive to future dislocations of the loan programs by natural disasters.

The small businessman is faced by a crisis in credit and not the least of his worries is the present paralysis of the SBA loan program. The reform and reinvigoration of that vital Government service for business demands the immediate attention of this Congress.

SECRETARY ROBERT C. WEAVER

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. BURTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. BURTON of California. Mr. Speaker, during the 1st session of the 89th Congress, this body responded to the needs of our cities by supporting the President's request for the creation of a Department of Housing and Urban Development.

Last week the President announced his choice of Robert C. Weaver to head this new Department. President Johnson is to be commended and congratulated on his choice.

Dr. Weaver brings to this vital and challenging task experience and expertise which are unequaled. His record of Government service started almost immediately after leaving Harvard in 1933. He became an adviser to Secretary of the Interior Harold L. Ickes.

In 1934 he received his doctorate in economics from Harvard and assumed the position of special assistant in the Federal Housing Authority which he held from 1937 to 1940. During World War II he was with the War Production Board and the War Manpower Commission.

During the postwar period he held teaching positions at Columbia and New York Universities.

In 1956 he was named New York State's deputy housing commissioner and later State rent administrator by then Gov. W. Averell Harriman.

Dr. Weaver became the first Negro to serve on a New York Governor's cabinet. He becomes the first Negro in the history of the Nation to serve in the Presidential Cabinet.

The President's choice of Dr. Weaver reflects the esteem in which he is held.

It is a tribute to Dr. Weaver that the President chose him to head the Department which must deal with one of our Nation's most pressing and vital domestic problems—our cities.

To Dr. Weaver I can only express my personal gratification at his appointment and my pledge of support in his efforts.

GRAND JURY INDICTMENT CHARGING VIOLATION OF NATIONAL SELECTIVE SERVICE LAW

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. WILLIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. WILLIS. Mr. Speaker, we have been hearing and reading so much about draft card burnings, so-called conscientious objection to serving in our Armed Forces, and efforts to circumvent our selective service law that I am sure the general membership would be interested in a specific grand jury indictment charging violation of the national selective service law and how the case was disposed of.

In the case of the *United States of America* v. *Murphy Paul Dowonis*, No. 30216 of the criminal docket of the U.S. District Court for the Eastern District of Louisiana, Judge Robert A. Ainsworth, Jr., made such a clear statement of the issues and gave such convincing reasons for imposition of sentence that I make it a part of the extension of these remarks in the RECORD and commend it to my colleagues:

[U.S. District Court for the Eastern District of Louisiana—Civil action No. 30216, criminal]

STATEMENT BY THE COURT IN CONNECTION WITH IMPOSITION OF SENTENCE ON DEFENDANT FOR SELECTIVE SERVICE LAW VIOLATIONS, JANUARY 12, 1966

UNITED STATES OF AMERICA, *v.* MURPHY PAUL DOWOUIS

AINSWORTH, ROBERT A., JR., Judge: You have been indicted by the grand jury and have pled guilty to four counts charging violation of the national selective service law, in that you failed to keep your draft card in your possession, failed to advise your draft board of your home address, did not keep your draft board advised of your mailing address, and failed to report to the board when so directed.

You have stated that your violation of the selective service law is pursuant to a policy of noncooperation with your draft board, and that you have refused to comply because you believed that the entire conception of universal military training was an unjust law. That you had no responsibility to cooperate with that law. That you are free not to follow any law if it runs against your personal views or if your conscience is pushing you to act that way. You announce that you believe that as a Catholic you are acting in the Catholic tradition. You state that a person's conscience overrides anything that the Government orders him to do.

In passing the present Universal Training Act, Congress wisely foresaw that there would be cases where individuals subject to combatant service in the Armed Forces of the United States would, because of religious training and belief, be conscientiously opposed to participation in war in any form. The act allows such a person to claim exemption from combatant service. If the draft board upholds the claim for exemption the individual is assigned to noncombatant service, or if then conscientiously opposed to participation in noncombatant service, in lieu of such induction he may be ordered to perform certain civilian work contributing to the maintenance of the national health, safety or interest as the local board may deem appropriate.

The record discloses that your religious and conscientious scruples were duly noted by your local board, reviewed by the State general counsel, and held to be in fact conscientious and sincere; that you were then tendered an exemption from both combatant and noncombatant military service, and offered an opportunity to satisfy your draft obligation by a 2-year tour of duty at the Lighthouse for the Blind, an institution dedicated to the welfare of blind persons, at New Orleans. You declined and refused, pursuant to your policy of noncooperation, returned your draft card to your local board stating in a letter to the board that you would not carry such a card because to do so would display an agreement with the principle of conscription, and that you would not submit voluntarily to further military classification even though you fully realized that the consequences of such a decision would be imprisonment.

The presentence investigation which we ordered in this matter discloses that you are 24 years of age, have completed 1 year of college, that you are a person of talent and intelligence and that your record is free of felony convictions. You have apparently dedicated yourself to a life of service to your

fellowman, particularly the poor and downtrodden, most recently having worked for the Catholic Worker in New York City as a volunteer staff employee, receiving no compensation, only room and board.

Justice Frankfurter, speaking for the U.S. Supreme Court in *Minersville School District* v. *Gobitis*, in 1940, wrote that "the affirmative pursuit of one's convictions about the ultimate mystery of the universe and man's relation to it is placed beyond the reach of law. Government may not interfere with organized or individual expression of belief or disbelief. Propagation of belief—or even of disbelief in the supernatural—is protected, whether in church or chapel, mosque or synagogue, tabernacle or meetinghouse." The Justice also said that "no single principle can answer all of life's complexities. The right to freedom of religious belief, however dissident and however obnoxious to the cherished beliefs of others—even of a majority—is itself the denial of an absolute. But to affirm that the freedom to follow conscience has itself no limits in the life of a society would deny that very plurality of principles which, as a matter of history, underlies protection of religious toleration." He concludes in his opinion that "Conscientious scruples have not, in the course of the long struggle for religious toleration, relieved the individual from obedience to a general law not aimed at the promotion or restriction of religious beliefs. The mere possession of religious convictions which contradict the relevant concerns of a political society does not relieve the citizen from the discharge of political responsibilities. The necessity for this adjustment has again and again been recognized."

The United States could not long remain the great Nation it is today if its citizens could refuse with impunity to obey the laws of the land, dependent upon their personal scruples or opposition to them. No person has the right to set himself above the law, for respect for law is the foundation for liberty. The law must have an authority supreme over the individual.

Selective service laws are founded on the constitutional power to declare war, to raise and support armies, and to make rules for the government and regulation of land and naval forces. Compulsive military service is neither repugnant to a free government nor in conflict with the constitutional guarantee of individual liberty.

The selective service law is absolutely indispensable to the defense and safety of this country. There can be little doubt that we could not long survive the forces of international communism if we did not have a strong military defense organization. Nor can anyone seriously question what would happen to the freedoms we cherish and enjoy were we not so powerful militarily as to maintain them. It is the undoubted policy of this Nation, as stated by President Johnson and supported by the Congress, that the United States does not desire war, seeks no foreign conquests, would subjugate no peoples, and desires only peace in the world. We fight because we want to live.

The conscientious scruples of the individual who is opposed in principle to the selective service law must therefore yield to the common good if we are to have respect for law and maintenance of our national security.

The sentence which we decree today is imposed for the protection and best interests of the public, for this is the prime consideration in proper sentencing. We are cognizant in this case of the necessity of furnishing an effective deterrent to others. It is the duty of a judge of the U.S. courts to enforce congressional policy as reflected by the selective service law.

I have been interested in your statement that you are acting in what you believe to be the Catholic tradition. As a member of the same religious faith, educated in a Catholic high school and college, I regret with equal sincerity that I do not agree. Military service in the Armed Forces of the United States has had no religious denominator. Catholics, as well as those of other religious beliefs, have had records of valor and bravery in all of the great wars in which our Nation has been involved. Catholics have not felt circumscribed by their religious beliefs in fighting for the people of America. The Vatican Council, in its recent pastoral "Constitution on the Church in the Modern World," furnishes an effective modern guideline for purely Catholic belief. Though the Council states that it "cannot fail to praise those who renounce the use of violence in the vindication of their rights," it acknowledges that "war has not been rooted out of human affairs," and comments that "as long as the danger of war remains and there is no competent and sufficiently powerful authority at the international level, governments cannot be denied the right to legitimate defense once every means of peaceful settlement has been exhausted."

The Council document points out that "those, too, who devote themselves to the military service of their country should regard themselves as the agents of the security and freedom of peoples. As long as they fulfill this role properly they are making a genuine contribution to the establishment of peace."

I have no doubt of the sincerity of our Government in its fervent desire and search for peace in the world; that the military actions which it takes now, particularly in Vietnam, are defensive to prevent the spread of godless communism in the attempted subjugation of peoples with the consequent deprivation of their freedom. Americans are, of course, free to disagree and to express their disagreement with American foreign policy. But the American right to dissent does not carry with it immunity for willful violation of the laws of the land. Our national security, both internal and external, could not long survive such lawlessness.

Obedience to and respect of the law can mean the difference between freedom and political slavery, between the democratic way of life as we know it, and mere existence under the iron grip of dictatorship; it is the difference between civilization and chaos.

A citizen's first duty, therefore, is to uphold the law. We are rightly proud of our great Nation and of our priceless heritage of individual opportunity, liberty and justice. But hand in hand with these basic rights go the parallel duties of every citizen to obey the law. Every right presupposes a duty. Consequently, if we are to enjoy the cherished rights of free speech, press and assembly, the right to worship in the church of our choice, the right to privacy, to due process, to vote—in summary the right to be an American citizen—we must accept certain responsibilities, the most important of which is to obey the law.

I say to the draft card burners and draft evaders and noncooperators that your actions in willfully violating the national selective service law unwittingly give aid and comfort to the enemies of this Nation. The North Vietnamese dictator takes support and encouragement from such actions and though it is within his power to do so, he denies the people of his nation and of the world an honorable peace much desired and prayed for by all right-thinking people. As a member of the judicial branch of this Government, I cannot countenance the violation of a law as important as the Selective Service Act under the serious conditions which prevail today in the world, particularly as they apply to the American people.

The court sentences you to the custody of the Attorney General for imprisonment in such place as he may designate, on count 1, for a period of 2 years; count 2, 2 years; count 3, 2 years; and count 4, 2 years; said sentences to run concurrently.

FOUND: ONE GENIUS

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. GIBBONS. Mr. Speaker, one of the greatest benefits to be derived from the Johnson administration's war on poverty is the turning of useless, hopeless lives into productive, hopeful ones which contribute an individual's fullest potential to his society, his family, and himself.

On December 25, 1965, there appeared in the Tampa Times an outstanding article dealing with one individual's experience as a participant in a program of adult basic education through Operation Hopeful run in Tampa by the local State welfare agency. Under unanimous consent, I include it in the RECORD. I commend it to my colleagues:

FOUND: ONE GENIUS

A 33-year-old mother of two who dropped out of school in the eighth grade was given a high school diploma last week by Principal F. H. Thomas at the Albany Street quarters of Project Hopeful.

Mrs. Patricia Newell, of 3508 Avon Avenue, has been an enrollee in the State welfare department sponsored poverty project since October. Now she hopes to go on to college.

"To my knowledge," Principal Thomas said, "this is the first diploma issued to a student in an adult basic education program in the entire United States."

Throughout the country, he explained, adult basic education programs are set up to provide academic training for adults at about the eighth grade level.

When she enrolled in Hopeful in October, Mrs. Newell had an interview with the project's work placement specialist, retired Army Lt. Col. Russell F. McCallister.

Initial tests revealed that Mrs. Newell had attained a ninth grade educational level. She told McCallister that her hobbies were reading and music, and that more than anything else, she longed to be an anthropologist.

"I felt right then and there," McCallister noted, "that this girl had something different. I had a tiger by the tail, so to speak."

Mrs. Newell started classes in the project's Albany Street classrooms. Less than a month later, another test indicated her educational level had advanced to a 12.7 rating. In other words, she had surpassed the 12th grade level.

Next she took an IQ test. Her 148 score on that classified her as a genius.

Now Mrs. Newell is filling out her application for entrance to the University of South Florida. She'd like to be admitted there in January, and begin studying history.

"I'd like to get started," she said.

Mrs. Newell was lavish in her praise of the project.

"I think it's wonderful," she replied when asked her evaluation of Hopeful. "I know several of the girls—well, it's really helped them a lot," she explained.

Only 3 months ago, when she first heard about the project, however, Mrs. Newell wasn't as sold on it.

"I wasn't too sure," she pointed out. "You know how Government things are."

But now, even her children share her enthusiasm.

"They think it's great," she said. "I think they've spread it all through the neighborhood that 'Mommy's graduated from high school.' "

THE PRESIDENT'S STATE OF THE UNION MESSAGE

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. HANLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HANLEY. Mr. Speaker, last Wednesday evening, President Johnson, in delivering his annual state of the Union message to the Congress, set forth both clearly and forcefully the goals and ambitions of the United States. Each of us is aware of the pressures on the President. Each of us is aware of how easy it would have been for him to simply say to the Congress, "We must lay strong emphasis on our foreign relations, so I propose that we hold our program for domestic progress in abeyance."

Fortunately, Mr. Speaker, we have a courageous President who knows history. He realizes only too well that unless we move forward with our domestic program while we are at our economic best, the dreams and hopes so long nurtured will be put in mothballs for another generation.

The conflict in Vietnam must be prosecuted forcefully. This is self-evident. Equally self-evident is the fact that here at home the many pronged war against privation, discrimination, and lack of opportunity must likewise be prosecuted.

Mr. Speaker, our President could have come up here and said that we had worked hard enough last session, now take a break. He could have acknowledged the accomplishments of the first session with no request that Congress continue the battle. That might have been the easiest route, from a standpoint of mental and physical pressure. Our President, though, chose to set before us the unfinished business of the land. We are fortunate for his candor.

When I was elected to this body in 1964, I realized that the job involved many personal sacrifices and long months of hard work. Still, if our President is willing to make these same sacrifices, then I submit that each of us in Congress must be willing to assume his share of the burden.

The task of securing honor abroad and progress at home is a difficult one. We must join with our President in performing that task.

THE PRESIDENT'S STATE OF THE UNION MESSAGE

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. GILLIGAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. GILLIGAN. Mr. Speaker, President Johnson, in his state of the Union address, eloquently gave Congress and the Nation a detailed plan aimed at keeping our international commitments while increasing the opportunities and raising the standards of health and education of many Americans. His belief, which I share, is that despite enormous difficulties, the richest Nation in the world, can accomplish these aims.

The President has, quite justifiably, told the American people that the brutal and bitter conflict in Vietnam must of necessity be the center of our concerns.

But at the same time, President Johnson was equally correct when he said that this country is strong enough to pursue its goals in the rest of the world while still building a Great Society here at home.

We are that strong. We are that capable. And I have no doubt but that the American people are that determined.

I remind my colleagues that history has recorded time and time again that "when there is no vision, the people perish."

The recommendations which the President has presented represent that vision. Ours is a vital, moving, and dynamic society. As such, it must either move ahead or stagnate from inactivity.

We would do well, I think, to consider these recommendations seriously and thoughtfully.

Many of my colleagues are heartened by the President's proposal that the Congress take additional far-reaching steps to insure equal justice to all of our people by effectively enforcing nondiscrimination in Federal and State jury selection. Recent events in the news have proved the wisdom of that consideration. We must make sure, through whatever legislation is necessary, that the intent of the people and of this Congress are not circumvented to the great detriment of the rights provided each individual by the Constitution.

In my opinion, attention also must be given to the President's proposal that the obstruction of public and private efforts to secure civil rights should be made a serious Federal crime.

I also endorse the President's recommendation of streamlining the Federal Government through the creation of a new Cabinet-level Department of Transportation. The lack of effective transportation planning has turned out to be one of the most seriously persistent problems of a country that is on the move, and is a problem which continues to plague great cities like Cincinnati.

My colleagues have every reason to be heartened by the President's restatement that the executive branch will attack waste and inefficiency. The President could not have phrased his comment more aptly when he said:

> We will make sure that every dollar is spent with the thrift and with the common sense which recognizes how hard the taxpayer worked in order to earn it.

The President has left us with magnificent challenges. It is well that he has done so. The great task before this Congress is that of implementation. I feel that at the end of this session we shall be able to give to the American people a satisfactory rendering of our stewardship.

A BILL GUARANTEEING THE RIGHT TO WORK

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, there has been a lot of talk about the so-called right to work, but not much has been done about the real right to work. I am today introducing, for appropriate reference, a bill to guarantee to each American able, ready, and willing to work, the right to work. My bill would make it the continuing obligation of the Federal Government, through amendments to the Employment Act of 1946, to take such action as would assure that each member of the American labor force has a job either in private industry or with the Government at some level, Federal, State, or local. The bill may be cited as the right-to-work law.

The guarantee of the right to work would be accomplished by a requirement for a detailed plan under a national employment and production budget of our short-range and long-range prospects for employment and production. This plan would be coupled with a full employment Federal budget which would indicate the level and direction of Federal spending necessary to assure the right to work under the indicated conditions for employment shown by the plan. The bill would make appropriate allowance for necessary turnover in employment because of persons going in and out of the labor market, what is usually called frictional unemployment. But beyond this, each American wishing to work would have an opportunity for employment either in private industry or for the Government. There would be no involuntary unemployment.

Adequate flexibility would be provided in the act by safeguards to assure reasonable price stability. An interim goal of maximum employment would be established of not less than 96 percent of the labor force until June 30, 1968. Thereafter, the goal would be increased to 97 percent, leaving 3 percent unemployment as the maximum permissive gap between employment and unemployment.

What we are doing under this bill is first, improving, updating, and strengthening the economic planning apparatus envisioned in the Employment Act of 1946, and second, committing the Federal Government to a program of action to realize the national plan, or to assure full employment.

It should be added that under the Employment Act of 1946 the Federal Government adopted the goal of maximum employment. Unfortunately, this worthy objective has not been attained. Unemployment in the past has reached what I consider astronomical proportions, although the rate has been declining in recent years. Still, the toll of joblessness in terms of human waste and human misery is unacceptable. How can this tragedy be justified or even explained

in a society as affluent and powerful as America,

I urge upon this body, Mr. Speaker, the early consideration of this bill. By this measure guaranteeing every American the right to work, we will enable our businessmen to plan for the future knowing the size of their markets and the income of their customers. It will enable our farmers and ranchers to plan their production against a guaranteed domestic market. This bill means that all Americans, regardless of age, race, religion, national origin, or sex, will always have a job suitable to their ability. The bill will end involuntary unemployment forever. It will bring to America what Americans want above all else, the right to a job opportunity, the right to work.

For these reasons, I have titled my bill, the right to work law. I had, however, another reason. One of the most flagrant deceptions visited upon Americans in recent years has been the misappropriation by certain segments of our society of the phrase "right to work" as a propaganda cover for the passage of legislation prohibiting collective bargaining agreements between labor unions and management. Despite this deception, "right to work" is a phrase with a real meaning, the right to a job, the right to earn one's livelihood for oneself and one's family. This phrase strikes a responsive chord of deep-felt human need, the need for economic security. This need underlies all the social legislation enacted into law by Congress under the last four Democratic administrations. From the social security program to the war against poverty enlightened legislators have sought to grant to Americans some degree of economic security.

A poor man has but one genuine material possession, his job. Take that away from him and he is soon helpless and liable to be thrown on the economic scrapheap. It is thus also my hope that by this bill the phrase "right to work" will be reclaimed by those with a genuine concern for the workingman from those who mock him, and that it will be restored to its original and true meaning.

I sincerely hope that many other Members of this body will join me in introducing this legislation.

LEAVE OF ABSENCE

Mr. QUIE, for January 19, 20, and 21, on account of official business, investigating poverty program in Los Angeles, Calif.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. CONTE, today, for 30 minutes.

Mr. HALPERN (at the request of Mr. McDADE), for 20 minutes, today; to revise and extend his remarks and to include extraneous material.

Mr. QUIE (at the request of Mr. McDADE), for 60 minutes, on January 20; to revise and extend his remarks and to include extraneous material.

Mr. ROONEY of New York (at the request of Mr. GIBBONS), for 15 minutes, today; to revise and extend his remarks and to include extraneous material.

Mr. FLOOD (at the request of Mr. GIBBONS), for 1 hour, on January 25; to revise and extend his remarks and to include extraneous material.

Mr. FLOOD (at the request of Mr. GIBBONS), for 1 hour, on February 16; to revise and extend his remarks and to include extraneous material.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. MILLER and to include extraneous matter.

(The following Members (at the request of Mr. McDADE) and to include extraneous matter:)

Mr. PELLY.

Mr. MARTIN of Alabama in two instances.

Mr. WALKER of Mississippi.

(The following Members (at the request of Mr. GIBBONS) and to include extraneous matter:)

Mr. TODD.

Mr. ST. ONGE in two instances.

Mr. ABBITT.

Mr. McGRATH.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 774. An act to authorize the Secretary of Commerce to make a study to determine the advantages and disadvantages of increased use of the metric system in the United States; to the Committee on Science and Astronautics.

ADJOURNMENT

Mr. GIBBONS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 50 minutes p.m.), the House adjourned until tomorrow, Tuesday, January 18, 1966, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1884. A letter from the Secretary of the Air Force transmitting a report of the aggregate number of officers assigned or detailed to permanent duty in the executive part of the Department of the Air Force at the seat of government, pursuant to the provisions of section 8031(c), title 10, United States Code; to the Committee on Armed Services.

1885. A letter from the Under Secretary of the Air Force transmitting a draft of proposed legislation to amend chapter 7 of title 37, United States Code, to authorize a dislocation allowance for travel performed under orders that are later canceled, revoked, or modified; to the Committee on Armed Services.

1886. A letter from the Executive Administrator, Small Business Administration, transmitting a draft of proposed legislation to amend the Small Business Act; to the Committee on Banking and Currency.

1887. A letter from the Under Secretary, Department of Health, Education, and Welfare, transmitting a report of disposal of excess foreign property in foreign countries, for calendar year 1965, pursuant to the provisions of the Federal Property and Administrative Services Act of 1949; to the Committee on Government Operations.

1888. A letter from the Attorney General of the United States transmitting a draft of proposed legislation to authorize the expenditure of appropriated funds for insurance covering the operation of motor vehicles in foreign countries; to the Committee on Government Operations.

1889. A letter from the Acting Archivist of the United States transmitting a report on records proposed for disposal, pursuant to the provisions of 63 Stat. 377; to the Committee on House Administration.

1890. A letter from the Chief Commissioner, Indian Claims Commission, transmitting a report that proceedings have been finally concluded with respect to docket Nos. 88, 330, and 330–A, *The Southern Paiute Nation, et al., Petitioners,* v. *The United States of America, Defendant,* pursuant to the provisions of 60 Stat. 1055: 25 U.S.C. 70t; to the Committee on Interior and Insular Affairs.

1891. A letter from the Chief Commissioner, Indian Claims Commission, transmitting a report that proceedings have been finally concluded with respect to docket No. 205, *The Seminole Nation, Petitioner,* v. *The United States of America, Defendant,* pursuant to the provisions of 60 Stat. 1055: 25 U.S.C. 70t; to the Committee on Interior and Insular Affairs.

1892. A letter from the Chief Commissioner, Indian Claims Commission, transmitting a report that proceedings have been finally concluded with respect to docket Nos. 138 and 339, *The Iowa Tribe of the Iowa Reservation in Kansas and Nebraska, the Iowa Tribe of the Iowa Reservation in Oklahoma, et al., Omaha Tribe of Nebraska, et al., the Sac and Fox Tribe of Indians of Oklahoma, the Sac and Fox Tribe of Missouri, Sac and Fox Tribe of the Mississippi in Iowa, et al., Petitioners,* v. *The United States of America, Defendant,* pursuant to the provisions of 60 Stat. 1055; 25 U.S.C. 70t; to the Committee on Interior and Insular Affairs.

1893. A letter from the Assistant Secretary of the Interior transmitting copies of all laws enacted by the Legislature of the Virgin Islands, in its 1965 regular and special sessions, pursuant to the provisions of section 9(g) of the Revised Organic Act of the Virgin Islands; to the Committee on Interior and Insular Affairs.

1894. A letter from the Attorney General of the United States transmitting a draft of proposed legislation to amend section 1821 of title 28, United States Code, to increase the per diem, mileage, and subsistence allowances of witnesses; to the Committee on the Judiciary.

1895. A letter from the Acting Assistant Attorney General for Administration, U.S. Department of Justice, transmitting a report of total number of positions in GS–16 and GS–17, during calendar year 1965, pursuant to the provisions of 5 U.S.C. 1105a; to the Committee on Post Office and Civil Service.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASHMORE:

H.R. 12069. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to corporations for contributions to colleges and universities; to the Committee on Ways and Means.

By Mr. BOLAND:

H.R. 12070. A bill to amend section 201(d) of the Immigration and Nationality Act to provide that quota numbers transferred to the immigration pool shall be available for issuance of visas to nonpreference immigrant aliens; to the Committee on the Judiciary.

H.R. 12071. A bill to amend section 212(a)(14) of the Immigration and Nationality Act to waive the labor certification requirement with respect to nonpreference immigrant aliens from any Communist or Communist-dominated country or area; to the Committee on the Judiciary.

By Mr. CRAMER:

H.R. 12072. A bill to provide educational assistance to certain veterans of service in the Armed Forces; to the Committee on Veterans' Affairs.

By Mr. EVINS of Tennessee.

H.R. 12073. A bill to amend the Small Business Act to authorize issuance and sale of participation interests based on certain pools of loans held by the Small Business Administration, and for other purposes; to the Committee on Banking and Currency.

By Mr. GILLIGAN:

H.R. 12074. A bill to amend the Social Security Amendments of 1965 to eliminate the provision which denies hospital insurance benefits to uninsured individuals who are members of certain organizations; to the Committee on Ways and Means.

By Mr. GURNEY:

H.R. 12075. A bill to provide educational assistance to certain veterans of service in the Armed Forces; to the Committee on Veterans' Affairs.

By Mr. HANNA:

H.R. 12076. A bill to authorize the Secretary of the Navy to lease surplus land to the county of Orange for fair market value and to permit a credit against rental payments thereunder for the amortized cost of a county constructed bypass channel; to the Committee on Armed Services.

By Mr. HECHLER:

H.R. 12077. A bill to name the Veterans' Administration hospital located in Clarksburg, W. Va., the Louis A. Johnson Memorial Veterans' Hospital; to the Committee on Veterans' Affairs.

By Mr. KEE:

H.R. 12078. A bill to provide readjustment assistance to veterans who serve in the Armed Forces during the induction period; to the Committee on Veterans' Affairs.

By Mr. LAIRD (by request):

H.R. 12079. A bill to amend title 38 of the United States Code so as to provide that monthly social security benefit payments shall not be included as income for the purpose of determining eligibility for a pension under title 38; to the Committee on Veterans' Affairs.

By Mr. NEDZI:

H.R. 12080. A bill to amend title 38 of the United States Code to protect any veteran against a loss of pension as a result of enactment of the Social Security Amendments of 1965, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BECKWORTH:

H.R. 12081. A bill to amend the Railroad Retirement Act of 1937 to provide for the payment of annuities thereunder to children over 18 and under 22 who are full-time students; to the Committee on Interstate and Foreign Commerce.

By Mr. COLLIER:

H.R. 12082. A bill to amend the Internal Revenue Code of 1954 to permit a taxpayer to claim a personal exemption for his spouse, where such spouse is a student being supported by the taxpayer, regardless of such spouse's gross income; to the Committee on Ways and Means.

By Mr. CONABLE:

H.R. 12083. A bill to provide a system for the return of Federal income tax revenues to the States to be used exclusively for educational purposes; to the Committee on Ways and Means.

By Mr. CONTE:

H.R. 12084. A bill to amend section 212(a)(14) of the Immigration and Nationality Act to waive the labor certification requirement with respect to nonpreference immigrant aliens from any Communist or Communist-dominated country or area; to the Committee on the Judiciary.

H.R. 12085. A bill to amend section 201(d) of the Immigration and Nationality Act to provide that quota numbers transferred to the immigration pool shall be available for issuance of visas to nonpreference immigrant aliens; to the Committee on the Judiciary.

By Mr. DONOHUE:

H.R. 12086. A bill to amend chapter 13 of title 18, United States Code, to provide additional protection for civil rights guaranteed by the Constitution of the United States, to prescribe additional penalties for violations of civil rights, and for other purposes; to the Committee on the Judiciary.

H.R. 12087. A bill to provide readjustment assistance to veterans who serve in the Armed Forces during the induction period; to the Committee on Veterans' Affairs.

By Mr. DUNCAN of Tennessee:

H.R. 12088. A bill to amend the Internal Revenue Code of 1954 to treat sintering or burning as a mining process in the case of shale, clay, and slate used or sold for use, as lightweight concrete aggregates; to the Committee on Ways and Means.

By Mr. EVINS of Tennessee:

H.R. 12089. A bill to amend the Small Business Act; to the Committee on Banking and Currency.

By Mr. GONZALEZ:

H.R. 12090. A bill to guarantee the right to work; to the Committee on Government Operations.

By Mr. GROSS:

H.R. 12091. A bill to require that the net seigniorage on coins issued under authority of the Coinage Act of 1965 shall be used for the retirement of the public debt; to the Committee on Banking and Currency.

By Mr. HELSTOSKI:

H.R. 12092. A bill to provide that the Secretary of the Army shall acquire additional land for the Beverly National Cemetery, N.J; to the Committee on Interior and Insular Affairs.

By Mr. HOLLAND:

H.R. 12093. A bill to amend the Internal Revenue Code of 1954 to provide that employers having pension plans under which payments are correlated with social security benefits shall be subject to an additional tax in cases where increases in such benefits result in a reduction in their own contributions under such plans and are not passed on to their retired employees; to the Committee on Ways and Means.

By Mr. KREBS:

H.R. 12094. A bill to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MACHEN:

H.R. 12095. A bill to amend the act of May 29, 1930 (popularly known as the Capper-Cramton Act), to authorize the National Capital Planning Commission to accept the donation of scenic easements over certain real property between the George Washington Memorial Parkway and the Potomac River in Prince Georges County, Md.; to the Committee on Public Works.

By Mr. MOORHEAD:

H.R. 12096. A bill to establish a Redwood National Park in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. O'NEILL of Massachusetts:

H.R. 12097. A bill to amend section 5(1) of the Railroad Retirement Act of 1937 to provide benefits for children of deceased railroad employees who are over the age of 18 and below the age of 22 and are attending an educational institution as full-time students; to the Committee on Interstate and Foreign Commerce.

By Mr. ROYBAL:

H.R. 12098. A bill to provide additional benefits under the Federal Employees' Compensation Act for certain disabled former employees of the Civilian Conservation Corps, and for other purposes; to the Committee on Education and Labor.

H.R. 12099. A bill to provide readjustment assistance to veterans who serve in the Armed Forces during the induction period; to the Committee on Veterans' Affairs.

By Mr. ST. ONGE:

H.R. 12100. A bill to provide readjustment assistance to veterans who serve in the Armed Forces during the induction period; to the Committee on Veterans' Affairs.

By Mr. TRIMBLE:

H.R. 12101. A bill to amend the Federal Food, Drug, and Cosmetic Act to provide that wherever possible owners shall be notified of condemnation proceedings instituted against their property; to the Committee on Interstate and Foreign Commerce.

By Mr. YATES:

H.R. 12102. A bill to establish a Redwood National Park in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. PATMAN:

H.J. Res. 803. Joint resolution extending the date for transmission of the Economic Report; to the Committee on Government Operations.

By Mr. CORMAN:

H. Con. Res. 533. Concurrent resolution expressing the sense of the Congress with respect to modification of the extradition treaty between the United States and Italy so as to include narcotics violations within the provisions of such treaty; to the Committee on Foreign Affairs.

By Mr. GARMATZ:

H. Con. Res. 534. Concurrent resolution authorizing the Joint Committee on the Library to procure a marble bust of Constantino Brumidi; to the Committee on House Administration.

By Mr. GRAY:

H. Con. Res. 535. Concurrent resolution authorizing the Joint Committee on the Library to procure a marble bust of Constantino Brumidi; to the Committee on House Administration.

By Mr. MOORHEAD:

H. Con. Res. 536. Concurrent resolution authorizing the Joint Committee on the Library to procure a marble bust of Constantino Brumidi; to the Committee on House Administration.

By Mr. O'HARA of Illinois:

H. Con. Res. 537. Concurrent resolution authorizing the Joint Committee on the Library to procure a marble bust of Constantino Brumidi; to the Committee on House Administration.

By Mr. PATMAN:

H. Con. Res. 538. Concurrent resolution authorizing the Joint Committee on the Library to procure a marble bust of Constantino Brumidi; to the Committee on House Administration.

By Mr. ROYBAL:

H. Con. Res. 539. Concurrent resolution authorizing the Joint Committee on the Library to procure a marble bust of Constantino Brumidi; to the Committee on House Administration.

By Mr. SIKES:

H. Con. Res. 540. Concurrent resolution authorizing the Joint Committee on the Library to procure a marble bust of Constantino Brumidi; to the Committee on House Administration.

By Mr. POFF:

H. Res. 664. Resolution expressing the sense of the House of Representatives with respect to discriminatory practices by the

Government of Rumania; to the Committee on Foreign Affairs.

By Mr. WILLIS:

H. Res. 665. Resolution authorizing the expenditure of certain funds for the expenses of the Committee on Un-American Activities; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

386. By the Speaker: A memorial of the Legislature of the State of Colorado, relative to the adoption of truth-in-packaging legislation; to the Committee on Interstate and Foreign Commerce.

387. Also, a memorial of the Legislature of the State of South Carolina, relative to Senate Resolution 7 requesting the U.S. Supreme Court not to interfere with the qualifications of Members of the U.S. House of Representatives; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CLEVENGER:

H.R. 12103. A bill for the relief of Mrs. Fernande M. Allen; to the Committee on the Judiciary.

By Mr. COLLIER:

H.R. 12104. A bill for the relief of Nicholas A. Panousiaris; to the Committee on the Judiciary.

By Mr. DUNCAN of Tennessee:

H.R. 12105. A bill for the relief of Bian-Djoen Tan; to the Committee on the Judiciary.

By Mr. GRAY:

H.R. 12106. A bill for the relief of Mirko Gros; to the Committee on the Judiciary.

By Mr. LONG of Maryland:

H.R. 12107. A bill for the relief of Anthony Di Russo; to the Committee on the Judiciary.

H.R. 12108. A bill for the relief of Dr. Renato R. Espina; to the Committee on the Judiciary.

H.R. 12109. A bill for the relief of Hideo Uchiyama; to the Committee on the Judiciary.

By Mr. MINSHALL:

H.R. 12110. A bill to provide for the free entry of one ship model for the use of the Lutheran Church of the Covenant, Mapel Heights, Ohio; to the Committee on Ways and Means.

By Mr. MORRISON:

H.R. 12111. A bill for the relief of Tadeusz Franciszek Bugajski; to the Committee on the Judiciary.

By Mr. ROONEY of New York:

H.R. 12112. A bill for the relief of Mr. and Mrs. Mario Buraglia and their children, Concetta and Giuseppe Buraglia; to the Committee on the Judiciary

H.R.12113. A bill for the relief of Dr. Petra Elena Parrenas Banogon; to the Committee on the Judiciary.

By Mr. THOMSON of Wisconsin:

H.R. 12114. A bill for the relief of Mario Veneziano; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.Res. 666. Resolution honoring the late Rossell G. O'Brien; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

314. The SPEAKER presented a petition of Henry Stoner, Avon Park, Fla., relative to the term of Members of the U.S. House of Representatives; to the Committee on Judiciary.

SENATE

MONDAY, JANUARY 17, 1966

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

Bishop W. Earl Ledden, Wesley Theological Seminary, Washington, D.C., offered the following prayer:

This, too, O Lord, is a day which Thou hast made; we will rejoice and be glad in it. For though there is darkness at noon, and men and nations have lost their way, we know that we are not God forsaken. Thou art still the light of those who turn to Thee, and Thy way can still be known among men.

Thou hast sustained and delivered our beloved country in other days of darkness. Now, again, we lift our prayer with confidence: God bless America.

Guide us through the darkness of our day. Deliver us, we pray, from the dangers that beset us. Enable us to communicate to the wide world our sincere desire for a prosperity shared by all mankind.

Because our hope is in Thee, Our Fathers' God, we are not despairing. We are confident that a better way than we have ever known may yet be found by Thy guidance.

To this end grant to every Senator, this day, the light of Thy presence. Bless and strengthen every attitude expressed in support of that righteousness which exalteth a nation, every effort put forth to extend the reach of that aggressive good will that may yet find the way to an honorable and lasting peace. In His name. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Friday, January 14, 1966, was dispensed with.

MESSAGES FROM THE PRESIDENT

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

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 appropriate committees.

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

REPORT ON FOREIGN ASSISTANCE PROGRAM—MESSAGE FROM THE PRESIDENT

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Foreign Relations:

To the Congress of the United States:

The Annual Report on the Foreign Assistance Program of the United States for fiscal year 1965, which I here transmit, shows what Americans have done during the past 12 months to help other people help themselves.

The record of these months offers new testimony to our continuing conviction that our own peace and prosperity here at home depends on continued progress toward a better life for people everywhere.

In pursuit of that goal, we have, during this past year, placed new emphasis on the basic problem of securing more food for the world's population.

We have agreed to extend technical assistance to countries asking for help on population programs. At the same time, our overseas missions have been directed to give priority to projects for achieving better agriculture. Additional resources of our great universities have been applied to rural development efforts abroad, and we have moved to increase the nutritional value of food shipped overseas for children.

During these past 12 months we have also:

Begun to make education a more vital part of our assistance to other nations. Today, 70 American universities are engaged in the development of 39 Asian, African, and Latin American countries through this program.

Given our full support to development of a new life for the people of southeast Asia through a regional development program—a true and hopeful alternative to profitless aggression. We have made progress toward the establishment of an Asian Development Bank, and accelerated plans for development of the critical Mekong River Basin.

The 12 months covered by this report also reflect our progress toward making our aid programs both more realistic, and more efficient. For example:

Foreign assistance has become a smaller factor in our balance of payments. In fiscal year 1965, more than 80 cents of every AID dollar was spent for the purchase of American goods and services. American products and skills went overseas as aid; most of the dollars which paid for them stayed in this country.

Foreign aid has become a smaller burden on our resources. The $3.5 billion committed for military and economic assistance in fiscal year 1965 represented 3.5 percent of the Federal budget and one-half of 1 percent of the U.S. gross national product.

At the height of the Marshall plan, in comparison, foreign aid accounted for more than 11 percent of the Federal budget and nearly 2 percent of our gross national product.

Perhaps the most important single change in our AID programs has been the shift from simply helping other countries stay afloat to helping them become self-supporting, so that our assistance will no longer be needed.

Three-fourths of our AID program in fiscal year 1965 was devoted to development assistance: programs of technical and capital assistance in agriculture, industry, health, and education that strengthen the ability of other nations to use their own resources.

Finally, private participation in AID programs is at an alltime high. Through contracts with American universities, business firms, labor unions, cooperatives, and other private groups, AID has sharply increased the involvement of nongovernmental resources in international development.

Two of every five AID-financed technicians in the field today are not Federal employees, but experts from private American institutions.

There is much in the less-developed world that causes us deep concern today: enmity between neighbor nations that threatens the hard-won gains of years of development effort; reluctance to move rapidly on needed internal reforms; political unrest that delays constructive programs to help the people; an uncertain race between food supplies and population.

We are right to be concerned for the present. But we are also right to be hopeful for the future. In this report are recorded some of the solid, human achievements on which our future hopes are based.

Whether it provides strength for threatened peoples like those in southeast Asia, or support for the self-help of millions on the move in Latin America, in Africa, in the Near East and South Asia, our foreign assistance program remains an investment of critical and promising importance to our own national future.

LYNDON B. JOHNSON.

JANUARY 17, 1966.

WAIVER OF CALL OF CALENDAR UNDER RULE VIII

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the call of the calendar under rule VIII, for the consideration of unobjected-to measures be waived.

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

LIMITATION OF STATEMENTS DURING MORNING HOUR

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

MONTANA PIONEER DIES

Mr. MANSFIELD. Mr. President, during the final days of 1965, I was saddened to learn of the death of one of Montana's pioneers and finest citizens. The passing of Tom Stout brought to a close a most colorful and accomplished career.

Tom Stout was a politician, editor, and publisher in the finest tradition. He was active in Democratic politics and served the State of Montana in the House of Representatives for two terms. Interestingly, he was sworn in standing between Sam Rayburn and John Nance Garner. The vast majority of Tom Stout's life was devoted to journalism. He started as a reporter and then became editor and publisher of the Fergus County Democrat in Lewiston. In his later years, he was editorial writer for the Billings Gazette.

Tom Stout has a long and full life, one to which we can all aspire. He was a good friend and one who will be missed. Mr. President, I ask that two editorials and a news story be printed at the conclusion of my remarks in the CONGRESSIONAL RECORD.

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

[From the Great Falls Tribune, Dec. 29, 1965]

WE HONOR THOMAS H. (TOM) STOUT

In 1902, a 22-year-old ex-teacher who had just been admitted to practice law in Missouri, asked a railway agent at Hannibal, Mo., how far he could get for $25.

The homesteaders' rail fare to Billings happened to be $21.85 so Thomas H. (Tom) Stout arrived in Billings on Easter Sunday of 1902.

Tom Stout made many contributions to Montana before he died at Billings Sunday night. He served two terms in Congress, several terms in the Montana Senate and also the house of representatives and was a member of the Montana Railroad and Public Service Commission. He also was a distinguished newspaper publisher, a prominent Democrat and a Montana historian.

While he was a State senator in 1913, Stout introduced a resolution which paved the way for women to get the right to vote in Montana.

Above all, Tom Stout was a charming, witty, and gracious Montanan.

[From the Lewistown Democrat News, Dec. 28, 1965]

TOM STOUT, FAREWELL

The death of Tom Stout marks the end of a brilliant career of a man who called Lewistown home for 45 years but was acclaimed all over Montana for his achievements in newspaper, political, and literary fields.

Hailed as one of the founders of this newspaper, he was known and loved by the residents of this area who appreciated his warm, genuine style of writing and his friendly, gentle manner.

Above all else, Tom Stout was acclaimed for his outstanding editorials. While he was never one to shy away from taking a stand and was noted for the many issues for which he crusaded, still he was always fair and his editorials reflected his own qualities of kindness and consideration for others.

Described by one of his many friends as a highly intellectual student, Tom Stout is also remembered for his three-volume "History of Montana," standard equipment in newspaper offices for almost half a century.

Not only was he acclaimed for his accomplishments in the newspaper world, but Tom Stout was also active in politics and served in both the State legislature and the U.S. Congress, as well as on the Montana Railroad and Public Service Commission.

Words are ineffectual to describe the contribution made by Tom Stout to this newspaper, this community, and the State of Montana. Suffice it to say he will be sadly missed by all those who cherished his friendship and by the wider circle of those who admired and enjoyed the fruits of his talents.

[From the Lewistown Democrat News, Dec. 28, 1965]

TOM STOUT, EARLY-DAY PUBLISHER AND EDITOR, DIES IN BILLINGS SUNDAY

Tom Stout, 86, founder of this newspaper, and one of central Montana's most prominent figures for half a century, died Sunday in Billings. Funeral services have been set for Wednesday at 2:30 p.m. at the Settergen-Carey Funeral Home in Billings.

Stout first came to Lewistown in November 1902, to accept a job as a reporter on John Vrooman's newspaper, the Fergus County Argus. In 1904 he and Harry J. Kelly started the Fergus County Democrat, later buying the Lewistown Democrat News.

Stout was especially well known throughout the State for his excellent editorials. He served as editor and publisher of the Lewistown Democrat News until he sold the paper in 1946. During the years 1947–60 he wrote editorials for the Billings Gazette.

Active in Democratic politics from the time he came to Montana, Stout was elected State senator from Fergus County in 1911 and again in 1913. He resigned as State senator in 1913 to become Representative at Large in the U.S. Congress. He was sworn in standing between Sam Rayburn and John Nance Garner, both of whom were also starting their term in the Legislature. He was reelected to another term at the next election, but did not seek reelection in 1916, and returned to the newspaper in Lewistown.

In 1930 he was elected to the Montana Railroad and Public Service Commission. He was a candidate to the Democratic national convention in 1908 and to all State conventions from 1904 to 1946.

Stout was elected a Fergus County State representative in 1942 and was reelected in 1944 and 1946.

Not only prominent for his achievements in the newspaper field and politics, Stout also gained recognition as a writer with his three-volume "History of Montana" published in 1922. The history was considered standard equipment in newspaper offices all over the State.

Stout was one of 13 charter members of the Lewistown Rotary organized in 1916 and served as its first president. When he left Lewistown he continued as an honorary member of the Lewistown organization until the time of his death.

Tom Stout was born May 20, 1879, at New London, Mo., a son of Mr. and Mrs. Jacob E. Stout. He received his formal education at Warrensburg State Normal School and the University of Missouri at Columbia. He studied law and was admitted to the Missouri bar in 1901 and to the Montana bar in 1913, but never practiced.

In 1904 he married Lelah Wunderlin of Lewistown, who preceded him in death.

He married Sibyl Sherlock in Helena on August 12, 1936. Besides the widow, he is survived by a son, Coleman Stout, city editor of the Current-Argus at Carlsbad, N. Mex.; two daughters, Mrs. Maxine Vincent of Boston and Mrs. Barbara Shloss of Levittown, N.Y.; two step daughters, Mrs. Edward Rech of Greybull, Wyo., and Mrs. Lawrence Knopp of Utrecht, Holland; eight grandchildren and three great-grandchildren.

The Rev. Jess McGuire will officiate at the funeral service with burial following in Mountview Cemetery.

Active pallbearers will be Glen Carney, J. Strand Hilleboe, Harold Seipp, Ross Bowman, Wilbur Pique, and William Buckley.

Honorary pallbearers include former Senator Burton K. Wheeler, Senator MIKE MANSFIELD, W. C. Rae, J. H. Dickey, Jr., Harry E. Lay, Earl McGinnis, Dan Whetstone, J. Rusty Larcombe, A. E. Wilkinson, E. K. Cheadle, Joe Montgomery, William Schmidlapp, Erwin Judd, and A. S. d'Autremont.

THE DANGEROUS SITUATION ALONG THE VIETNAMESE-CAMBODIAN BORDER

Mr. MANSFIELD. Mr. President, I call the attention of the Senate to a recent editorial in the New York Times which refers to the highly dangerous situation along the Vietnamese-Cambodian border. It discusses the threat by Cambodian Prince Sihanouk to ask for foreign help—presumably from Communist China—if American commanders

launch attacks into the northeastern part of his country. The editorial states:

The answer to the Cambodian problem cannot be found through wider war, but only through widening the present Vietnamese peace offensive.

This problem is touched on in the report to the Senate by Senators AIKEN, MUSKIE, INOUYE, BOGGS, and myself which was made after our recent tour of southeast Asia. The report states the following:

Cambodia, in a different manner and to a much lesser extent than Laos, is already directly touched by the fighting in Vietnam. There are repeated charges that Cambodian territory is being used as a base for Vietcong operations. That is possible in view of the remoteness and obscurity of the border but there is no firm evidence of any such organized usage and no evidence whatsoever that any alleged usage of Cambodian soil is with the sanction, much less the assistance, of the Cambodian Government. Prince Sihanouk responded immediately to a recent allegation that the Cambodian port of Sihanoukville is being used to transship supplies to the Vietcong by calling for an investigation by the International Control Commission which was set up under the Geneva Accords of 1954.

Cambodia's overwhelming concern is the preservation of its national integrity which, in times past, has been repeatedly violated by more powerful neighbors and is still subject to occasional forays from a minor dissident movement (the Khmer Serai) which has been allowed to base itself in the neighboring nations. Cambodia seeks recognition and respect of its borders by all parties to the conflict. It asks to be left to live in peace so that it may concentrate on its own problems and internal development. The Cambodians have made great internal progress, largely through their own efforts supplemented by a judicious use of aid from the United States in the past and from other nations both in the past and at the present time. They have a peaceful and productive nation with an intense sense of national unity and loyalty to Prince Sihanouk.

The fact that fighting in South Vietnam has raged close to the border and there have, as a result, been occasional border incursions and bombing of Cambodian territory has caused the deepest concern to the Cambodian Government. Cambodia can be expected to make the most vigorous efforts to resist becoming directly involved in the struggle surging through South Vietnam and to repel to the best of its capability direct and organized invasions of its territory which may stem from the mounting tempo of the war.

Prince Sihanouk has suggested a way to settlement of this explosive problem which should receive the most careful consideration from all concerned. He has asked for expanded observer patrols in the area under the auspices of the International Control Commission. U.S. funds would probably be necessary to carry out this suggestion. But the ultimate cost to this Nation of such a venture would be infinitesimal compared to that of expanded conflict beyond Vietnam into northeastern Cambodia.

Mr. President, I ask unanimous consent that the editorial from the January 5 issue of the New York Times be included at this point in the CONGRESSIONAL RECORD. In addition I ask that three articles by Stanley Karnow which portray the current situation in Cambodia, with emphasis on the border question, also be included in the RECORD.

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

[From the New York Times, Jan. 5, 1966]

THE CAMBODIAN BORDER

The authorization to American commanders in Vietnam to launch attacks into northeastern Cambodia in "self-defense" has now brought notice to the United Nations from Prince Sihanouk that if this happens he will seek foreign military assistance—presumably from Communist China—for reprisal raids.

This warning deserves to be taken seriously, much as Cambodia's ruler may hesitate to endanger his country's future independence by inviting in Chinese "volunteers." The lesson of the past 5 years in Vietnam is that every measure of escalation leads to another, each matched successively by the other side. Cambodia is not likely to be an exception.

The answer to the Cambodian problem cannot be found through wider war, but only through widening the present Vietnam peace offensive—which should continue, despite the initially negative response yesterday from Hanoi.

In giving notice to the United Nations, Prince Sihanouk renewed his proposal for expanded observer patrols by the International Control Commission, as set up under the 1954 Geneva accords. This proposal—for which the Prince asks American contributions of funds and equipment—involves monitoring arms shipments to Cambodian forces through the southern Cambodian port of Sihanoukville.

To extend this project to cover the rugged jungle terrain of northeastern Cambodia, as the United Nations Secretariat reportedly is urging, would be a task of much greater difficulty. Many hundreds of observers might be needed. But it would be well worth the cost to the United States if an effective system could be established to reduce incidents. A far larger operation than this will be necessary to police a South Vietnamese peace settlement when one is reached. The experience and training gained in Cambodia would be invaluable.

Vietcong and North Vietnamese units reportedly regrouped in northeastern Cambodia for renewed attack during the Iadrang Valley battle in November, but this evidently was an unusual event. Repeated investigations by Western newsmen as well as by the ICC have failed to turn up proof that the Communists make major use of Cambodia either as a sanctuary or as an infiltration route for men and supplies into South Vietnam. The route through Laos is shorter and there are plenty of isolated areas in South Vietnam itself in which to cache supplies.

The limited importance of Cambodia to either side in Vietnam should make it far easier to reach a Cambodian agreement than a Vietnam settlement. Yet the use of the Geneva machinery for this purpose might help both sides ease into preliminary discussions on ending the war in Vietnam itself.

The dispute with Cambodia calls attention again to the absence of direct American contact with Phnom Penh. When Prince Sihanouk broke diplomatic relations, he indicated willingness to continue consular relations with the United States, but the State Department decided to withdraw completely. An offer to reestablish an American consulate in Phnom Penh would be an act of wise diplomacy.

[From the Washington (D.C.) Post, Dec. 28, 1965]

TRANQUIL NATION FEARS WAR—TREK FINDS CAMBODIA NO VIETCONG HAVEN

(The writer has just returned from a 10-day trip, covering 3,000 miles through Cambodia by jeep, helicopter, and on foot. Further reports will follow.)

(By Stanley Karnow)

HONG KONG, December 27.—Reminiscent of a French prefecture, the Cambodian capital of Phnom Penh is a pleasant town of handsome villas and luxuriant gardens and people who doze through their afternoons—as if the turbulence of southeast Asia were light years away.

The peace that pervades Phnom Penh and the rest of the land is the most striking achievement of Cambodia's Chief of State, Prince Norodom Sihanouk. It is an achievement he repeatedly stresses in his ceaseless stream of oratory.

In the 12 years since it won independence from France, Sihanouk asserts, Cambodia's neutrality has saved it from the fate of its neighbors.

It is not, like Laos, torn by civil strife. In contrast to Vietnam, it is not being destroyed by war. Unlike Thailand, it has not become the site of foreign bases that invite Communist subversion.

Over the years, Sihanouk has preserved peace in Cambodia by tactics so flexible as to have made him appear whimsical.

After a decade of dependence on American aid, he broke diplomatic ties with the United States last May and veered sharply toward Communist China, irritating the Soviet Union in the process. At the same time, he has strived to strengthen his bonds with France, and he is currently trying to improve his relations with Australia, Great Britain, and Japan.

Shifty as they seem, however, Shihanouk's moves have been basically motivated by a clear, consistent aim. Playing for time, he has hoped to spare his people repetition of the ruinous history that nearly reduced them to extinction. In his view, communism is a less appalling prospect.

But if Sihanouk's adroit vamping for time has thus far given Cambodia its years of calm, his time may be running out. And the capital's air of tranquility often appears betrayed by the perceptible feeling that Cambodia faces bitter days ahead.

WAR'S SPREAD FEARED

This mood of pessimism reflects the fear that the war in Vietnam may spill over Cambodia's borders.

Within recent days, American commanders in Vietnam have been advised that they have the "inherent right of self defense" to enter Cambodia in pursuit of their enemy. For months, American press dispatches have dramatized allegations that Cambodia is a base and sanctuary for Vietcong and North Vietnamese troops.

Mindful of their history, Cambodians see this growing danger as a signal that the hated Vietnamese, who invaded their land in the past, have found a new pretext for aggression.

Time and again within recent years, Sihanouk has sought to protect himself against the threat of war. Time and again he has met with disappointments.

His request 3 years ago for an international conference to guarantee his neutrality was rebuffed by the United States, reticent to acknowledge a formula applicable to South Vietnam. But later, when the idea seemed more plausible to Washington, it was rejected by Peiping.

BORDERS UNDEFINED

His efforts to define his borders with Vietnam, in talks with Saigon as well as Hanoi and Vietcong representatives, have been unsuccessful.

At the Communist-dominated "Indochinese Peoples Conference," in Cambodia last March, Sihanouk was not permitted to deliver a speech pleading for a negotiated peace in Vietnam. Instead, he had the speech printed and quietly distributed.

But while emphasizing his neutrality, Sihanouk often acts, perhaps impulsively, to

undo the effect he creates, frequently leaving his most ardent admirers bewildered.

He has denied giving material aid to the Vietcong. Yet in a public ceremony here last September he affirmed his political support for them, matching his statement with a "humanitarian" gift of 40 cases of medicine.

INVITED INSPECTION

Since then he has disclosed that he is considering the sale of Cambodian rice to the Vietcong. Says his Prime Minister, Prince Norodom Kantol: "We will sell rice to whoever pays us the best price—in hard currency."

Though they strenuously deny that supply routes pass from Cambodia into the Vietcong-held areas of Vietnam, Cambodian officials decline to reveal how their gift of medicines reach the Vietcong belligerents.

With all this, however, Sihanouk is almost desperately anxious to disprove charges that Cambodia is a significant source of backing for the Vietcong. And in this effort he has displayed considerable good faith.

Earlier this month, for example, he invited the International Control Commission, composed of Indian, Canadian, and Polish delegates, to inspect as thoroughly as they wished the port of Sihanoukville, alleged to be the entry point for weapons destined for the Vietcong.

On December 13, moreover, Sihanouk authorized the Control Commission to follow weapons shipments, due to arrive from China, to Cambodian army barracks and arsenals, and to register their further movements. The Commission will also be allowed to record activities at a Chinese-built weapons repair factory south of Phnompenh.

Such freedom of movement, say Commission officials, has not been accorded elsewhere in Indochina.

LETS IN CORRESPONDENTS

Concurrently, Sihanouk has invited selected American newspaper correspondents into Cambodia to determine whether it is being used as a Vietcong sanctuary or base. Such an invitation was extended to the New York Times in September. A similar invitation was sent to the Washington Post 3 weeks ago. I arrived on December 13, after stopping in Saigon for a briefing on the suspicious areas to note inside Cambodia.

Accompanied by a Cambodian official, but free to choose my itinerary—or improvise it en route—I covered much of the Vietnam border, often landing along the way in remote outposts. In addition, I spent a day in Sihanoukville.

Proving this negative charge of border violations is difficult, particularly where unmarked frontiers stretch for miles under a canopy of vegetation. It would take thousands of men several years to examine every foot of the Cambodian border area adjacent to Vietnam.

IMPLAUSIBLE ACCUSATIONS

However, it was possible to measure certain charges against firsthand observations—and in every case the accusations turned out to be implausible.

The charge made by Thailand's Foreign Minister Thanat Khoman last September, that 27,000 Chinese were learning guerrilla tactics at Sihanoukville, seemed to lack any shred of credibility. Nor does Sihanoukville, which abounds with Western shipping agents, appear a satisfactory landing place for Vietcong weapons when compared to the coasts of Vietnam itself.

The charge that Cambodia's roads and rivers are used as Vietcong supply routes appears equally unlikely. Highway 19, which once ran into Vietnam's highlands, now ends abruptly at a river whose bridge was destroyed a decade ago. Highway 14, in southeast Cambodia, fades into jungle 2 miles from the Vietnam border.

NO RED CAMPS FOUND

Another charge published is that Vietcong training camps, with Vietcong flags flying, dot the Cambodian countryside. But a cruise around the region at an altitude of 100 feet revealed no such camps. There was a charge that the hospital at Kampot, not far from Sihanoukville, is used by the Vietcong. Within the past 2 months, about 20 Cambodian refugees from Vietnam have been brought into the hospital, suffering from gunshot wounds.

Many of the border villages within Cambodia have markets stocked with Vietnamese merchandise, from plastic toys and soap to cigarettes and pans. This suggests a lively smuggling trade between the two countries.

Some 300,000 Chinese and 400,000 Vietnamese reside in Cambodia, and some of these are known to profit handsomely from smuggling.

Furthermore, it is difficult to believe the official Cambodian assertion that Vietcong operatives do not cross into Cambodia to tax local Vietnamese residents or recruit them. After all, the Vietcong official, Tran Buu Kien, turns up in Phnom Penh occasionally while the Australian Communist journalist Wilfred Burchette, who resides in Phnom Penh, frequently crosses the border to interview Vietcong leaders in Vietnam's Tayninh Province.

DIFFICULT SANCTUARY

Beyond these details, however, the key question is whether Cambodia is a significant sanctuary for the Vietcong.

In the judgment of Western analysts here, northeast Cambodia, supposedly the strongest base region for the Vietcong and North Vietnamese, is deficient in rice, supporting its own scarce population with great difficulty.

Moreover, it would seem very much against Communist guerrilla strategy to build a "hard base" in an uncontrolled foreign land governed by a chief of state whose political sentiments are variable.

And finally, it is doubtful that the Cambodians, who passionately hate Vietnamese of any ideology, would knowingly make their country vulnerable to American attack for the sake of sheltering a traditional enemy.

[From the Washington Post, Dec. 30, 1965]

PROVING NEUTRALITY IS TASK—WAR FEARS TERRIFY CAMBODIA AS LEADER STRUGGLES FOR PEACE

(By Stanley Karnow)

HONG KONG, December 29.—The Vietnam conflict, already extended into North Vietnam and southern Laos, now appears to be approaching the edge of further expansion—into adjacent Cambodia.

The prospects terrifies Cambodians. They foresee their peaceful land transformed, like Vietnam, into a frightful battlefield. But to avoid that catastrophe, their chief of state, Prince Norodom Sihanouk, may have to perform something like a legal miracle.

Beyond press dispatches, no official evidence has been advanced to substantiate charges that Cambodia serves as a sanctuary for Vietnam's Communist troops. Nevertheless, Sihanouk is under pressure to prove that his country does not willfully or even inadvertently aid the Communists. If he fails, Cambodia could suffer the consequences.

Against such odds, Sihanouk has been desperately trying to demonstrate his innocence.

INVESTIGATIONS INVITED

Early this month he invited the Indian, Canadian and Polish delegates of the International Control Commission, created by the 1954 Geneva accords, to inspect Cambodia thoroughly.

At the same time, Sihanouk asked the Washington Post to pursue a parallel investigation. The Post said it was not equipped to investigate such a complex problem but welcomed an opportunity for a trained reporter to see for himself. As the Post's correspondent for southeast Asia, I was selected for the assignment.

From the start I realized that it would be a delicate and unenviable task—if only because the whole issue of alleged Communist sanctuaries in Cambodia has become politically loaded.

COMMENTS HEIGHTEN TENSION

For one thing, Sihanouk has prejudiced himself by heightening tensions with his provocative rhetoric. He extols Red China, proclaims his sympathy for the Vietcong, likens President Johnson to Hitler, and then expects frustrated American commanders in Vietnam to believe he is "100 percent neutral."

The issue has been further complicated by divergent attitudes within the U.S. mission in Saigon. Many diplomats, wary of the political implications of an enlarged war, are restrained in their charges against Cambodia. Thus far their views seem to have prevailed over those of their most daring military colleagues.

The region's historic rivalries also confuse and aggravate the situation. Vietnamese and Thai accusations against Cambodia, their traditional enemy, are often as fantastic as Cambodia's countercharges.

Added to these abstract complexities is the physical terrain I was invited to examine.

DIFFICULT BORDER REGION

The Cambodia-Vietnam border region comprises thousands of miles of highland jungle, lowland swamp, lofty mountains and rolling hills, much of it sparsely inhabited by primitive tribes that barely speak Cambodian.

Obviously I could not poke into every thatched hut in each forest clearing. I could not be sure that frontier guards, customs officers, provincial officials and others would speak the truth. I was not even certain that my interpreter would translate my questions faithfully.

Yet I had, from the Cambodian Government, striking evidence of cooperation—an Alouette helicopter, tireless pilot, and total freedom to travel when and where I wished. Thus I was clearly not the victim of a gigantic conspiracy contrived to mislead me.

In Saigon, where I stopped before going to Cambodia, military and civilian officials seemed far less dogmatic in their charges against Cambodia than many press reports bearing Saigon datelines.

SUSPICION OF ARSENALS

These officials suggested that the arsenal of 7.62 millimeter Chinese Communist weapons now used by the Vietcong may have been introduced from Cambodia into South Vietnam about 2 years ago and hidden in caches until recently. Indicated that stocks of Vietcong explosives, lately uncovered in South Vietnam's delta, might have been manufactured from nitrates and other chemicals transported down the Mekong River from Cambodia.

Beyond these details, offered with some reservation, Saigon sources appeared unable, or perhaps unwilling, to extend firmer intelligence on Vietcong activities in Cambodia.

The morning of my arrival in Phnom Penh, Cambodia's capital, Sihanouk had publicly invited the ICC to keep permanent inspection teams at the port of Sihanoukville and control weapons shipments to Cambodian army barracks, headquarters and supply centers.

Western diplomats in Phnom Penh considered Sihanouk's offer a welcome gesture of good faith, but whether the ICC was equipped for the job aroused some doubt.

The Commission's dozen officials in Cambodia cannot conceivably keep watch on 30,000 Cambodian troops, much less control the

country's borders. To expand the ICC effectively would require years of financial negotiations and organization.

But by the time I reached Sihanoukville, 145 miles south of Phnom Penh, three ICC colonels had manfully begun to inspect cargo manifests. The Canadian delegate struck pay dirt: The movie unit that filmed "Lord Jim" in Cambodia last year had imported a case of rifles.

Built by the French within recent years, Sihanoukville is a small port and relatively easy to examine. During November, two Chinese Communist ships had unloaded cargo there. Inside the port's single warehouse I examined the Chinese merchandise—herbs, paper, honey candy, and assorted pots and pans.

A shipment of Chinese weapons had reached Sihanoukville last spring, Cambodian port officials told me. One of them said: "Why should we give them to the Vietcong when we need them for our own soldiers?"

SMUGGLING IS COMMON

Though the coast is patrolled by United States and South Vietnamese vessels based at the Vietnamese island of Phuquoc, smuggling is common. I learned, however, that most of the contraband consists of beer, cigarettes and nylon fishing nets brought from Vietnam and Thailand and exchanged for Cambodian fish and soybeans. Authorities apparently tolerate this traffic.

I did not observe the 27,000 Chinese Communist guerrillas, alleged by Thailand's Foreign Minister Thanat Khoman to be training at Sihanoukville. Nor did I feel that the port, whatever its past, is currently on the Vietcong supply route.

At the nearby town of Kampot, however, I encountered evidence that the Vietnam border, 30 miles away, is not hermetically sealed. Within a recent 2-month period, about 20 Cambodian refugees from Vietnam were brought into the local hospital, suffering from gunshot wounds.

Conjecture in Saigon had suggested that the Kampot hospital was used by the Vietcong. The resident physician, a Paris-educated Chinese, did not know his patients' political persuasions, but said they all spoke Cambodian. They had been discharged or transferred to Phnom Penh by the time of my visit.

MONDULKIRI VISITED

On the morning of December 16, aboard a vintage Cambodian Army DC-3, I flew east to Senmonorum, the capital of Mondulkiri province. I was accompanied by Ches San, a former Cambodian diplomat now serving at Secretary of State for Information.

Bordering the Vietnamese provinces of Darlac and Quangduc, Mondulkiri was created only 5 years ago in an effort to populate and fortify Cambodia's eastern frontier region in line with the historic fear of Vietnamese intrusion. None of Cambodia's 400,000 Vietnamese residents is permitted to reside in the area.

It is an uninviting region of rolling, treeless hills, so poor that it must import rice. Apart from primitive tribes, its population is composed of only 1,000 families, half of them dependents of a local battalion, half of them "pioneers." Its military governor, Maj. Khieu Boun, is a former French Army sergeant who fought against the Vietminh when it unsuccessfully attempted to invade Cambodia in March 1954.

FEW SIGNS OF LIFE

This area has been considered a southernmost extension of the "Ho Chi Minh trail." His leathery face wrinkling into an ironic smile, Boun scoffed at the allegation: "If we are so poor ourselves, how could we nourish the Vietcong?"

I suggested a closer look at the neighborhood, and we climbed into Boun's Landrover, heading southeast over what maps generously call National Highway 14. Actually it is a narrow dirt road that parallels the Vietnam border as it winds through barren hills. The only sign of life we saw in 2 hours was a truckdriver changing a tire on his gravel truck.

We passed a scarred hillside where 2 years ago, a U.S. transport airplane crashed, killing its eight crewmen. Though American sources believe the aircraft suffered from mechanical failure, Boun proudly explained that his men had brought down the intruder with submachinegun fire.

Finally we reached Camp Le Rolland, a former French outpost sometimes cited as a Vietcong base. I had expected a romantic fort in Beau Geste style. Instead I found a bleak square of earthworks garrisoned by a handful of shabby Cambodian provincial guards.

From the camp I could look into Vietnam, observing through binoculars an American special force outpost at Buprang 4 miles away. The bucolic scene seemed as peaceful as a Sunday in New England.

Did traffic pass into Vietnam? We pushed on along Highway 14. Within 50 yards it dwindled into a weedy path. Within a mile it stopped at a wall of jungle.

It was near there that, by chance, we met a typical Cambodian frontier patrol—four barefoot tribesmen with filed teeth and distended earlobes, three of them carrying ancient French or British rifles. They could not recall seeing Vietnamese in the area. But then, one of them volunteered, he would not recognize a Vietnamese if he saw one.

Familiar as they are with the countryside, such tribesmen seem a woefully inadequate force. Moreover, Cambodia's entire military strength in its eastern border area is fewer than four battalions, most of them working on farms, roads and rubber plantations.

After spending the night at Lomphat, the mosquito-infested capital of Rattanakiri Province, we set out by helicopter to cover the more sensitive northeastern frontier sector.

It is here that the Vietcong is said to be flying its flags brazenly over training camps. It is here that Communist supply trucks are supposed to ply highways. It is here that North Vietnam's elusive 325th Division allegedly has its headquarters, and it is here that its troops are reported to retreat to rest and regroup.

Flying at about 100 feet, we cruised over Highway 19, barren except for a few bicycles. Along the way we observed Bo Kheo, described in some press reports as a key Communist post. It is a sprawling village whose alleged "radio antennae" are primitive bamboo and rope contraptions used in its local zircon mines.

At Oyadao Highway 19 ends abruptly at a river whose bridge was destroyed over a decade ago in the Indochina war. Here we found some 400 Vietnamese refugees who fled into Cambodia last August. In the opinion of Chea San, the Cambodian official with me, however, these miserable peasants were potential aggressors who had no business in his country.

[From the Washington (D.C.) Post, Dec. 31, 1965]

SOUTH CAMBODIA SEEMS LIKELIER VIETCONG ARENA

(By Stanley Karnow)

HONG KONG, December 30.—Cambodia's southern border with Vietnam would seem a more propitious sector for minor Vietcong activities than its impoverished eastern frontier, where my trip by helicopter and plane turned up no solid evidence that the Vietcong have established a "hard base" there.

From my 2-day tour of the southern zone I could not determine whether the Vietcong used it as extensively as they did some years ago. In September 1961, for example, the Cambodian Army discovered 500 guerrillas camped in Svay Rieng Province, driving them back into Vietnam after a 2-hour battle.

I could deduce, however, that this stretch of the border is far leakier than Cambodian officials would publicly acknowledge—although one official privately admitted, "What we don't see, we don't know."

AS LOW AS 100 FEET

Before examining the southeastern border I completed my tour of the northeast frontier, helicoptering over many areas at altitudes as low as 100 feet.

I noted that an apparently uninhabited plateau of jungle interspersed with swamps extends far into Vietnamese territory before it reaches the Annamite Mountains. This contradicts some press accounts that describe the Vietcong "disappearing over the mountains into Cambodia."

At Lom Kom, a lonely outpost 3 miles inside the border, a young Cambodian lieutenant said he had never seen Vietcong or Vietnamese Government troops cross the frontier. "I am not saying they are not here," he added carefully. "I have just never met them."

TRIBESMEN CONCUR

Tribesmen who patrol the region concurred. As to local natives giving rice to Vietnamese, they said, "We cannot feed outsiders. We are short of food ourselves."

We then wound down the serpentine Iadrang Valley, and saw nothing stir except a frightened deer. We touched down at Voeune Sai, another alleged Vietcong camp, and found a sleepy riverside settlement preoccupied with its experiments to improve rice production.

That the Vietcong may slip in and out of the eastern border region, I cannot doubt. But unless they have miraculous means for getting food, I find it hard to imagine that the sector could constitute what guerrillas call a "hard base."

RIVERS DESERTED

That the area serves as a significant Communist supply route seems to me unlikely. Its rivers were deserted. Except for the Mekong River, the region's roads and waterways runs east-west rather than north-south. When the Vietminh invaded Cambodia in 1954, they came down the Mekong Valley, an impossibility for them at present.

The southern area, by contrast, is lush, abundant in rice and other food. On the Cambodian side it is largely populated by Vietnamese who, denied Cambodian citizenship even by birth, are politically unreliable. It is also a region in which smuggling continues, much like the free trade of French colonial days.

Legal commerce between Cambodia and South Vietnam has been severely curtailed since the two countries broke diplomatic relations. Truck traffic has ceased between Phnom Penh and Saigon, and even a secondary road from Phnom Den over the border to Apannong has been blocked. Cambodian river barges cannot enter Vietnam, and Vietnamese barges are barred from Cambodia.

Nevertheless, Vietnamese goods are widely available, especially in border areas.

SHOPS OVERFLOWING

At the village of Phnom Den, for instance, I found local shops overflowing with plastic toys, soap, shirts, and kitchen utensils, all made in Saigon. Everywhere in Cambodia I encountered Saigon beer, which Cambodians prefer to the heavy brews imported from Eastern Europe.

Some of this merchandise enters Cambodia through frontier barter markets tolerated by both governments. But most of it appears to be handled by well organized Chinese and Vietnamese smugglers. And it

seems plausible that, for strictly commercial motives, they sell rice, chemicals and other products to the Vietcong.

After all, even Cambodia's Prime Minister, Prince Norodom Kantol, told me that he would sell rice to the Vietcong—if they paid a top price in hard currency.

Though roads and waterways are officially closed, merchandise may cross the border aboard nocturnal sampans or on coolie's backs. When Chief of State Norodom Sihanouk gave 40 cases of medicine to the Vietcong last September, there was no doubt they would find their way into Vietnam. In a similar manner, Vietcong agents traverse the frontier.

At Bavet, a border post in Svay Rieng province, I asked the local governor where the frontier might be crossed illegally. Such crossings, he replied, were "formally prohibited." He declined to clarify, however, how the Australian Communist writer, Wilfred Burchett and various Vietcong representatives travel back and forth to Vietnam. He also refused to point out where two American prisoners, released by the Vietcong in Cambodia last month, were taken across the border.

A RING OF TRUTH

With all this, there is a ring of truth to the tales of wounded Vietcong seeking refuge over the border, or Vietcong agents entering Cambodia to recruit skilled Vietnamese workers.

In a broader sense, however, it remains to be judged whether these details, deductions and suppositions add up to a significant indictment of Cambodia. Moreover, the Cambodians must apparently produce evidence of their innocence while their accusers have yet to offer firm evidence of Cambodian guilt.

Thus the possible extension of the Vietnam war into Cambodia, while serious, seems bewildering—and dangerous.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ROBERTSON, from the Committee on Banking and Currency, without amendment:

S. Res. 173. Resolution authorizing the Committee on Banking and Currency to make certain investigations, and to provide additional funds therefor (Rept. No. 941); referred to the Committee on Rules and Administration.

By Mr. SPARKMAN, from the Committee on Banking and Currency, without amendment:

S. Res. 172. Resolution to provide additional funds for the Committee on Banking and Currency (Rept. No. 940); referred to the Committee on Rules and Administration.

REPORT OF ACTIVITIES OF THE JOINT COMMITTEE ON DEFENSE PRODUCTION—REPORT OF A COMMITTEE (REPT. NO. 942)

Mr. ROBERTSON. Mr. President, I submit the 15th annual report of the activities of the Joint Committee on Defense Production, with material on mobilization from departments and agencies, and ask that it may be printed. I ask unanimous consent that a release, prepared by me, relating to the report, may be printed in the RECORD.

The PRESIDENT pro tempore. The report will be received and printed; and, without objection, the release will be printed in the RECORD.

The release is as follows:

STATEMENT BY SENATOR A. WILLIS ROBERTSON, DEMOCRAT, OF VIRGINIA, ON ANNUAL REPORT OF THE JOINT COMMITTEE ON DEFENSE PRODUCTION

Senator A. WILLIS ROBERTSON, Democrat, of Virginia, chairman of the Joint Committee on Defense Production, in releasing the committee's 15th annual report, called attention to the fact that the report discloses increasing use of priority assistance for critical materials and military items, upward pressures on prices, and increasing demands similiar to those which led to the necessity for price controls, industrywide allocations of material and products, and other emergency measures of a wartime nature during World War II and Korea.

Adequate fiscal and monetary policies are necessary, Senator ROBERTSON stressed, in order to reduce the danger that such direct controls may have to be imposed.

The Joint Committee on Defense Production has the responsibility for reviewing programs under the Defense Production Act, which provides the authority currently being used to insure timely production for the Vietnam conflict. It was under the Defense Production Act that American productive capacity of critical materials and products was greatly increased during the Korean war and that the economy was regulated through price controls and allocations.

In releasing the report, Chairman ROBERTSON stated:

"The report indicates that the economy is beginning to show the impact of the Vietnam buildup and that in areas of heavy defense production the already short supply of manpower may get serious. Some shortages of capacity have developed and other industries are operating at or near capacity."

The authority for priorities and allocations of materials provided in the Defense Production Act has become increasingly important to insuring the delivery of weapons to Vietnam. The report states:

"As the Vietnam situation became intensified and our commitments became heavier, the use of priority ratings has become absolutely vital to delivery of end items."

Senator ROBERTSON pointed out that recent increases in the price of materials have almost wiped out the book loss of over $1.2 billion in Government inventories of critical materials which has been widely publicized in the recent past. These book losses resulted from declines in market prices of materials from the high prices paid for such materials during the Korean war. Senator ROBERTSON stated:

"The elimination of $1.2 billion in book losses during a 2-year period provides additional evidence that inflation is with us. The materials markets cannot be separated from the remainder of the economy. As the cost of inflation passes on to the producers of materials, the resulting price increases will be reflected in every segment of the economy. Materials are required to build and to operate the assembly lines that supply the needs of both the military and the civilian economy."

With regard to the effect of these price increases, Senator ROBERTSON said:

"While the United States may recover losses or make substantial profits on its inventory of materials during this inflationary period, the buying public will not have a similar offset against inflation."

Much of the national stockpile was acquired through purchases of materials from expanded production authorized in the Defense Product Act. Senator ROBERTSON further stated:

"The emergency needs of the Vietnam war again demonstrate the necessity for maintaining adequate quantities of essential materials to meet any emergency and the need for carrying out long range programs for the sale of surplus materials, while giving due consideration to market conditions, in order that the right materials will be available in the right quantities at the right time.

"Unneeded materials, such as excesses purchased under Public Law 206 contrary to the views of this committee for non-defense purposes, do not help us solve the copper shortage."

In further commenting on emergency needs for materials, Senator ROBERTSON said:

"I favor an up-to-date review of the emergency needs for each strategic and critical material, with due regard to our dependence on foreign sources, population changes, production methods, total commitments, and related factors. Such study should give consideration to expediting requirements figures from the military services and improving the methods for translating weapons requirements into materials requirements promptly and without delay."

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. ROBERTSON, from the Committee on Banking and Currency:

Robert C. Weaver, of New York, to be Secretary of Housing and Urban Development; and

Robert C. Wood, of Massachusetts, to be Under Secretary of Housing and Urban Development.

BILLS INTRODUCED

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

By Mr. LAUSCHE:

S. 2771. A bill for the relief of Hazel Louise Schuman Strunk; and

S. 2772. A bill for the relief of Bozica Pucnik; to the Committee on the Judiciary.

By Mrs. NEUBERGER (for herself and Mr. MORSE):

S. 2773. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Olalla division of the Umpqua project, Oregon, and for other purposes; to the Committee on Interior and Insular Affairs.

Br. Mr. THURMOND (for himself and Mr. RUSSELL of South Carolina):

S. 2774. A bill to grant the consent of Congress for the construction of a dam across the Savannah River between South Carolina and Georgia; to the Committee on Public Works.

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

By Mr. McCARTHY:

S. 2775. A bill to provide for payment of survivor annuities to the widows of certain former Members of Congress; to the Committee on Post Office and Civil Service.

By Mr. JAVITS (for himself, Mr. KENNEDY of New York, and Mr. MORSE):

S. 2776. A bill to amend the Social Security Amendments of 1965 so as to eliminate therefrom certain provisions which deny hospital insurance benefits to certain individuals otherwise eligible therefor because of their membership in certain subversive organizations or their prior conviction of crimes involving subversive activities; to the Committee on Finance.

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

By Mr. LONG of Missouri:

S. 2777. A bill to amend the Social Security Act to eliminate the provisions which deny social security and hospital insurance benefits to uninsured individuals who are employees or members of certain organizations; to the Committee on Finance.

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

Mr. MONTOYA (for himself, Mr. MANSFIELD, Mr. MCGEE, Mr. EASTLAND, Mr. ANDERSON, Mr. BIBLE, Mr. NELSON, Mr. LONG of Missouri, Mr. MOSS, Mr. BENNETT, Mr. MCGOVERN, Mr. MCINTYRE, Mr. CLARK, Mr. SCOTT, Mr. CHURCH, Mr. RUSSELL of South Carolina, Mr. MCCLELLAN, and Mr. FULBRIGHT):

S. 2778. A bill to amend the act providing financial assistance to local educational agencies for the education of children of low-income families in order to provide financial assistance for the education of orphans and other children lacking parental support; to the Committee on Labor and Public Welfare.

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

By Mr. PEARSON:

S. 2779. A bill for the relief of Maria Lourdes Sunga Garcia; to the Committee on the Judiciary.

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

By Mr. LONG of Louisiana:

S. 2780. A bill to amend the Internal Revenue Code of 1954 to provide an optional simplified tax method, and for other purposes; to the Committee on Finance.

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

By Mr. MORSE (for himself and Mrs. NEUBERGER):

S. 2781. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Monmouth-Dallas division, Willamette River project, Oregon, and for other purposes; to the Committee on Interior and Insular Affairs.

CONCURRENT RESOLUTIONS

ADDITIONAL EXPENDITURES BY JOINT COMMITTEE ON THE ORGANIZATION OF THE CONGRESS

Mr. MONRONEY submitted the following concurrent resolution (S. Con. Res. 69); which was referred to the Committee on Rules and Administration:

S. CON. RES. 69

Resolved by the Senate (the House of Representatives concurring), That the Joint Committee on the Organization of the Congress, established by Senate Concurrent Resolution 2, Eighty-ninth Congress, agreed to March 11, 1965, is hereby authorized, from February 1, 1966, through December 31, 1966, to expend not to exceed $140,000 from the contingent fund of the Senate upon vouchers approved by the chairman of the joint committee.

AUTHORIZATION FOR PLACING OF BUST OF CONSTANTINO BRUMIDI IN THE CAPITOL

Mr. DOUGLAS (for himself, Mr. PASTORE, Mr. PELL, and Mr. CLARK) submitted a concurrent resolution (S. Con. Res. 70) authorizing the placing of a bust of Constantino Brumidi in the Capitol, which was referred to the Committee on Rules and Administration.

(See the above concurrent resolution printed in full when submitted by Mr. DOUGLAS, which appears under a separate heading.)

RESOLUTION

ADDITIONAL FUNDS FOR COMMITTEE ON SMALL BUSINESS

Mr. SPARKMAN (for himself and Mr. SALTONSTALL) submitted the following resolution (S. Res. 178); which was referred to the Committee on Rules and Administration:

S. RES. 178

Resolved, That the Select Committee on Small Business, in carrying out the duties imposed upon it by S. Res. 58, Eighty-first Congress, agreed to February 20, 1950, as amended and supplemented, is authorized to examine, investigate, and make a complete study of the problems of American small and independent business and to make recommendations concerning those problems to the appropriate legislative committee of the Senate.

SEC. 2. For the purposes of this resolution, the committee, from February 1, 1966, to January 31, 1967, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date.

SEC. 4. Expenses of the committee under this resolution, which shall not exceed $145,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

LEGISLATION AUTHORIZING CONSTRUCTION BY DUKE POWER CO. OF A DAM ON THE SAVANNAH RIVER

Mr. THURMOND. Mr. President, on behalf of myself and the junior Senator from South Carolina [Mr. RUSSELL], I send to the desk a bill to authorize the construction of a small retaining dam across the Savannah River by the Duke Power Co. I ask that the bill be appropriately referred.

This bill is similar to legislation I joined in introducing on May 3, 1961, and again on May 11, 1964. The only change in the bill this year from the one introduced in 1964, is at the end of section 1 where minimum water releases from Hartwell Reservoir, upstream from the site of the Duke power dam, are provided for. The nature of the facility proposed to be constructed and operated by Duke Power Co. requires that a minimum weekly water release from Hartwell averaging 1,500 cubic feet per second be assured.

Mr. President, the economic advantages of the States of South Carolina and Georgia, the local communities involved and to the Nation as a whole which would result from this project are beyond compare. The initial capital expenditures for the construction of the proposed facility on the part of Duke Power Co. would be $210 million. According to the latest figures available, the facility would require approximately $24 million worth of coal per year since it is a steam generating plant, and not a hydroelectric project. Other operation and maintenance costs, exclusive of fuel, would be approximately $3 million per year. It must be noted that these enormous sums are all private money. Not a cent of public funds are authorized to be expended by this legislation.

In addition to these expenditures channeled into the local and national economy, the local, State, and National Governments will benefit from tax revenue in the amount of $13.3 million per year, according to the latest figures available. The Duke Power project would pay annual local and State taxes to the extent of $5,950,000 and annual Federal income tax in the amount of $7,400,000. These are, once again, the latest figures available as to the tax revenue which would be derived from this facility.

Mr. President, on January 6 of this year the General Assembly of South Carolina adopted a concurrent resolution memorializing the Congress of the United States to authorize the construction of this dam. I send this resolution to the desk, ask that it be printed in the CONGRESSIONAL RECORD at the conclusion of my remarks, and appropriately referred.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the concurrent resolution will be printed in the RECORD and appropriately referred.

The bill (S. 2774) to grant the consent of Congress for the construction of a dam across Savannah River between South Carolina and Georgia, introduced by Mr. THURMOND (for himself and Mr. RUSSELL of South Carolina), was received, read twice by its title, and referred to the Committee on Public Works, as follows:

CONCURRENT RESOLUTION —

Concurrent resolution memorializing the Congress of the United States to authorize the construction of a dam across the Savannah River and Duke Power Co. to construct an electric generating plant on the Savannah River

Whereas Duke Power Co. announced plans more than 4 years ago to construct a giant 2-million-kilowatt steam electric generating plant on the Savannah River in Anderson County, S.C.; and

Whereas the subject plant will cost in excess of $210 million and would be the largest steamplant for the generation of electricity in the entire world; and

Whereas to date 55 percent of all industry locating in the two Carolinas has located in the area served by the Duke Power Co.; and

Whereas such a plant as envisioned by Duke is one of the most desirable single industries that could come, not only to Anderson County, but to South Carolina; and

Whereas it is estimated that by the year 1985 the demand for electricity will exceed four times the present requirement; and

Whereas this development would require virtually no investment by the local community for service facilities nor would it require a great expenditure for water lines,

sewerage, access roads, or public facilities; and

Whereas the Duke Power Co. is merely seeking permission to build a steamplant which would furnish an abundance of inexpensive electricity and pay to Anderson County more than a million dollars each year in tax revenue and to the State of South Carolina over $5 million dollars annually; and

Whereas this plant would provide permanent employment for a goodly number of people and during construction would provide jobs for over a thousand persons for a number of years; and

Whereas the experience of investment in those areas served by the Duke Power Co. has reflected $3 in either new or expansion of old industry for each dollar invested in the generation of electricity; and

Whereas the members of the General Assembly recognize the tremendous asset such a plant would be for the future development and prosperity of the State and of its people: Now, therefore, be it

Resolved by the Senate, the House of Representatives concurring: That for the above reasons the members of the General Assembly wish to record themselves as favoring the Congress of the United States to take such action as may be necessary in order that the Duke Power Co. may construct a dam across the Savannah River and proceed with the construction of the plant; be it

Further resolved, That a copy of this resolution be forwarded to the president of the Duke Power Co. and to the following officers and Members of the Senate and House of Representatives of the Congress; the Vice President of the United States and President of the Senate, the Speaker of the House of Representatives, the chairmen of the Committees on Public Works of the Senate and the House of Representatives, each Senator and Member of the House of Representatives from South Carolina.

Mr. RUSSELL of South Carolina. Mr. President, it is with a sense of complete propriety and enthusiasm that I join today in sponsoring legislation which will permit the construction of a large and modern power installation in South Carolina on the banks of the Savannah River.

Duke Power Co. has signified its intention to construct one of the world's largest steam generating plants at Middleton Shoals in Anderson County in order to help meet the future power needs of a rich and prospering section of South Carolina and the Southeast.

While I am aware of the controversy which has surrounded certain aspects of the development of the Savannah River, I feel that the construction of the Duke steamplant at this time will not adversely affect any project, hydroelectric or industrial, which might be contemplated now or in the foreseeable future for the Savannah River and that it will bring much positive good to South Carolina and to the Federal Government. Such being the case, it should be judged on its merits, which are considerable.

The most recent estimates indicate that the Middleton Shoals steamplant will remit to local and State governments in taxes approximately $5,950,000. The Federal Government will realize $7,400,000 in income taxes from Duke Power Co. as a result of expanded operations from this installation. It is estimated that Anderson County will realize several million in property taxes alone, a sum which will contribute immeasurably to the improvement of the system of public education in that county, supported as it is in large measure by property taxes.

Viewing these benefits, I believe that the Congress should allow private enterprise, willing and prepared to move promptly, to undertake this project.

Duke Power Co. President William B. McGuire informs me that he feels it is important to have this steamplant authorized for construction in early 1966 in order to be assured that that fine company can meet its 1971 power requirements in South Carolina.

There are ample safeguards written into the legislation to preserve the public interest and the interest of the U.S. Government in the development of the Savannah River.

I hope that the Congress will move promptly and expeditiously to authorize this power development in our State, one which will mean much economically and industrially to South Carolina and the entire Southeast.

ELIMINATION FROM SOCIAL SECURITY AND MEDICARE LAWS PROVISIONS DISQUALIFYING INDIVIDUALS BECAUSE THEY BELONG TO, OR WORK FOR, CERTAIN POLITICAL ORGANIZATIONS

Mr. LONG of Missouri. Mr. President, we have come a long way since the 1950's when, during the height of McCarthyism, we were often guided by emotion and terror rather than logic and reason. But, occasionally a measure, though conceived in good will and with good intentions, contains an odious provision. One such provision can be found in the new Medicare Act, which the Congress passed last year.

There are presently in the United States about 2 million persons who are not eligible to receive social security benefits for one reason or another. But the Congress wanted to insure that most of these individuals would at least receive the new hospital insurance benefits to be financed from General Treasury funds. In so providing, however, the new law excludes these uninsured if they are members of a Communist or Communist-front organization.

The Social Security Administration of the Department of Health, Education, and Welfare, based on this provision, now requires these 2 million elderly persons to answer the following question before they may qualify for medicare benefits:

> Are you now, or have you been during the last 12 months a member of any organization which is required to register under the Internal Security Act of 1950 as a Communist-action organization, a Communist-front organization, or a Communist-infiltrated organization?

As a practical matter, the applicant probably has absolutely no knowledge as to which organizations are required to register under the Internal Security Act of 1950, since no list is attached to the application form. Thus, he has no way of knowing how to answer the question conscientiously.

This requirement in the new law stems directly from a 1956 amendment to the social security laws which excluded from social security coverage that period of time in which an individual was employed by any organization registered under the Internal Security Act as a Communist-action organization, Communist-front organization, or communist-infiltrated organization. The effect of this amendment was to prohibit the accrual of social security coverage to employees during the period of their employment with the Communist Party.

The net result of these two provisions has been to create a remarkable distinction in the law, and one which makes no real sense. On the one hand, employees of the Communist Party—excluded from social security coverage—are eligible for hospital and medical benefits if they are not members of the party. Members of the Communist Party, on the other hand, are eligible for social security coverage as well as hospital and medical benefits, providing they are not employees of the party.

Let me stress here that members of the Communist Party itself are not excluded from social security coverage—only employees of the party and associated organizations. Thus, if Gus Hall or any other bigwig in the party worked for General Electric or General Motors or any other firm, they would be covered under social security.

Yet, the little old lady down the street, who is a good member of the Republican Party but who is not eligible for social security for some reason, may think she is not eligible for medicare because she does not know about the organizations to which she belongs. At the same time, the Communist who has been covered under social security will get his Medicare benefits without further ado.

It is inconceivable that the Congress intended to draw this line between employees and members, granting benefits to the latter but denying the former.

Mr. President, it is high time for the Congress of the United States to remove from the statute books these remaining vestiges of the 1950's, an era in American history which can best be described as McCarthyism. Loyalty oaths, disclaimer affidavits and similar disqualifications based upon organizational membership, advocacy and even employment, infringe upon the rights of all individuals to freely associate under the first amendment. They should not be condoned. Indeed, the Congress just last year eliminated similar disclaimers as requirements for Job Corps enrollees and Vista Volunteers under the antipoverty program—Public Law 89-253. Yet, as a result of language in the Medicare Act, 2 million Americans are now required to attest to the Social Security Administration that they are not now, nor have not been during the previous 12 months, a member of certain forbidden organizations.

One of the few joys of many of our elderly citizens is the comfort and the companionship which they obtain from their various organizations and associations. But our elderly citizens are also

in need of their hospitalization and medical benefits.

I am deeply concerned that the effect of the above-mentioned provisions in our social security laws will be to deter the elderly from joining political or quasi-political groups—whether they be controversial or not.

Mr. President, I introduce for appropriate reference a bill to eliminate from our social security and medicare laws those provisions which disqualify individuals merely because they belong to, or work for, certain political organizations. It is a shocking indictment on America that some of our elderly and our infirm must be deprived of their social security, medical and hospitalization benefits for no other reason than political retribution.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2777) to amend the Social Security Act to eliminate the provisions which deny social security and hospital insurance benefits to uninsured individuals who are employees or members of certain organizations, introduced by Mr. LONG of Missouri, was received, read twice by its title, and referred to the Committee on Finance.

AMENDMENT TO TITLE I OF THE ELEMENTARY-SECONDARY EDUCATION ACT OF 1965

Mr. MONTOYA. Mr. President, the Elementary-Secondary Education Act of 1965, Public Law 89–10, was the most progressive piece of legislation in this field that has ever been adopted by the Congress.

Already, provisions of this law have been of great benefit to local education, and the benefits will multiply as the years go on.

However, like everything else in this world, the Elementary-Secondary Education Act falls short of perfection, and I conceive it to be one of our duties in this second session of the 89th Congress to make appropriate amendments as the need comes to light.

With that in mind, I am today introducing an amendment to title I of this act, to provide for per pupil aid to school districts which are educating children who are not being supported by their own families.

Under terms of the act as now written, per pupil grants to local school districts are based on the number of children who come from families with less than $2,000 annual income. There is no provision for counting children who are under public care—orphans, abandoned children, and so forth, and are lacking in parental support.

Yet many, if not all, of these youngsters come from backgrounds just as deprived as those who come from impoverished families with $2,000 annual income, and we should therefore provide school assistance for them also.

This matter came to my attention through Mr. Firman Haynie, superintendent of the Portales Municipal School District.

Portales, located in Roosevelt County in east-central New Mexico, is responsible for the education of some 150 youngsters living in two facilities for orphaned and dependent children there.

Mr. Haynie pointed out that the full financial burden of these children's education falls on the local school system. This is a burden that they gladly accept, but Mr. Haynie feels, and I agree with him, these these youngsters should be included in the Office of Education's calculation of the Federal payment under title I.

The bill which I am introducing today will accomplish that purpose.

It will eliminate a serious inequity in the law, not only in Portales but in school systems throughout the United States which are educating dependent and orphaned youngsters.

Mr. President, I send the bill to the desk, for appropriate reference, and ask that the bill lie on the desk for 5 days for the purpose of additional cosponsors.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from New Mexico.

The bill (S. 2778) to amend the act providing financial assistance to local educational agencies for the education of children of low-income families in order to provide financial assistance for the education of orphans and other children lacking parental support introduced by Mr. MONTOYA (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

MARIA LOURDES SUNGA GARCIA

Mr. PEARSON. Mr. President, I am today introducing a private bill in behalf of Maria Lourdes Sunga Garcia, which requests that this young Philippine girl be permitted to waive the 2-year residency requirement as an exchange student and remain in this country as a citizen of the United States. Miss Garcia has an outstanding record of service and study while in this country as an exchange student.

She has attended training courses conducted by the Communicable Disease Center of the Department of Health, Education, and Welfare at Atlanta, Ga. She is a member of the American Society of Medical Technologists, is included on the Registry of Medical Technologists of the American Society of Clinical Pathologists, has completed the prescribed training as a technologist of Kansas City, Kans., and has received her bachelor of science degree in medical technology from the University of Missouri at Kansas City. Two hospitals in the Kansas City, Kans., area presently have first preference visa petitions in her behalf. She has indicated a willingness to remain in the field of medical technology and, as you can understand from her background, she will be a credit to the field and an able aid in any medical department with which she chooses to associate. Prior to the time she arrived in this country she had 5 years of medicine and premedicine in Manila, and still hopes to obtain her doctor of pathology degree from a university in the United States.

Miss Garcia has many friends in Kansas who have written in her behalf urging that some means be used to give this fine young woman an opportunity to continue her studies and thereby contribute to the medical profession in this country.

Also I do not want to overlook Miss Garcia's extreme interest in the field of cancer research, which is being developed through the private auspices of the Andres Soriano Cancer Research Fund in Boston, Mass. Miss Garcia was a personal friend of Colonel Soriano and has personally helped the fund grow with the financial assistance she could provide. This fund now amounts to approximately $125,000 and it is expected that by December of this year considerable funds will be available to initiate the Andres Soriano cancer research program at Massachusetts General Hospital. Again, I believe this is an indication of Miss Garcia's devotion to her work and to her fellow man.

Mr. President, I submit this private bill for Maria Lourdes Sunga Garcia and ask that it be referred to the appropriate committee.

The PRESIDING OFFICER (Mr. MONTOYA in the chair). The bill will be received and appropriately referred.

The bill (S. 2779) for the relief of Maria Lourdes Sunga Garcia, introduced by Mr. PEARSON, was received, read twice by its title, and referred to the Committee on the Judiciary.

SIMPLIFIED TAX REFORM

Mr. LONG of Louisiana. Mr. President, it is with considerable pride that I make the statement that in the previous session of Congress there was not a single recommendation of the President which did not receive consideration in the Finance Committee. Every presidential recommendation was considered, and the committee acted on it. Insofar as the committee may not have agreed with some of them, the Senate had an opportunity to vote on those matters. The workload of the committee was great, and recommendations in great numbers were before the committee. Almost without exception the Senate supported the committee's judgment. As acting head of the committee, I was extremely proud of that record.

I have reason to believe that the President will send to the Finance Committee proposals in which he will recommend measures for tax simplification, tax equity, and tax reforms. So I hope we will have success similar to that which we had last year in the fiscal field.

I introduce a bill to amend the Internal Revenue Code of 1954 to provide an optional simplified tax method, and for other purposes.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2780) to amend the Internal Revenue Code of 1954 to provide an optional simplified tax method, and for other purposes, introduced by Mr.

LONG of Louisiana, was received, read twice by its title, and referred to the Committee on Finance.

Mr. LONG of Louisiana. Mr. President, on October 2, 1964, I introduced a bill to simplify and greatly improve the equity of our individual income tax system. The bill is a modified, strengthened version of the measure which was tentatively approved by the Senate Finance Committee as an amendment to the Revenue Act of 1964, although this action was later rescinded. I introduced the bill then so that it could be studied by the members of the Finance Committee, other Senators, the Treasury, the staff of the Joint Committee on Internal Revenue Taxation, and other interested parties. I now reintroduce the bill for congressional action.

ADVANTAGES OF THE BILL: SIMPLICITY AND EQUITY

The objectives of the bill are twofold: to simplify the computation of tax liabilities and to reduce inequitable disparities between the tax liabilities of individuals with like incomes.

The need for a simplified tax law is widely acknowledged but rarely answered. This bill does answer the need. Its chief feature is an optional, simplified tax procedure for persons with middle and upper incomes. These are the taxpayers who generally have the most complicated tax problems and who find it prohibitively expensive to avail themselves of the standard deduction, which is the major simplification measure now in the law. A special scale of tax rates which rise in intervals of 5 percentage points from 20 to 50 percent will be available to those who elect to compute their tax without regard to most of the special deductions and exclusions now in the law. The bill offers high income taxpayers an alternative similar in nature, but much broader in scope, to the choice between itemized and standard deduction which is now open to persons with lower incomes. The Treasury some time ago estimated, conservatively in my opinion, that some 300,000 taxpayers would elect this option if it were available today.

Further simplification is provided by those sections of the bill which increase the minimum standard deduction and the 10-percent standard deduction. The minimum standard deduction is increased by $100 per family. This would, according to those same earlier estimates, relieve 700,000 persons of tax liability. The bill also raises the limit to the 10-percent standard deduction from $1,000 to $2,000. This feature makes the advantages of the 10-percent standard deduction alternative more readily available to taxpayers with incomes of from $10,000 to $20,000. Many taxpayers will switch from the time-consuming business of itemizing deductions to the use of the standard deduction, including some taxpayers with incomes of more than $20,000. The 1 million taxpayers who would switch back to the standard deduction will bring to an estimated 2 million the number of taxpayers whose tax computation chores would be simplified by this bill.

The bill also represents a significant improvement in tax equity. A look at the tax liabilities of various taxpayers with high incomes shows that very wide disparities exist between the tax burdens of similarly situated individuals. Treasury data show that effective tax rates—the ratio of Federal individual income tax payments to income—ranged from zero to nearly 85 percent among the 1,002 returns which in 1959 listed an adjusted gross income of $500,000 or more. Twenty of these returns, including five with adjusted gross incomes of $5 million or more, actually paid no tax at all while 56 paid a total tax equivalent to 70 percent or more of their entire income. The fact that as a group the 1,002 taxpayers had an average liability equal to 46 percent of their adjusted gross income masks the fact that some of them paid far less tax than the average and some paid far more.

Those high-income taxpayers who pay very low rates of tax are in a position to utilize such features of the law as those relating to capital gains, the unlimited charitable contributions deduction, percentage depletion, intangible drilling expenditures, and the deductions for interest, taxes, and medical expenses. Thus they are able to avoid paying the high rates of tax the statutory rate scale might seem to require. These special provisions are not available to all taxpayers, however, and those whose special circumstances are not recognized in the tax law must pay tax at the full rates.

I do not mean to castigate the various special deductions as tax gimmicks. Indeed, my bill does not prevent a taxpayer from claiming any of the present deductions and exclusions. It does reduce the potential tax avoidance value of such provisions by providing a lower alternative rate scale for those who forgo them.

The standard deduction and minimum standard deduction provisions augment the tax equity features of the bill. They, too, reduce the disparity between the liabilities of those who can take advantage of the various deductions and the liabilities of those who cannot. They do so at the lower and middle income levels. Furthermore, they reduce the tax burdens of those with the lowest incomes.

Simplified procedures and improved equity will lift taxpayer morale. The high tax rates of present law combined with the obvious tax avoidance avenues open to some have no doubt led a number of taxpayers to conclude that the tax system operates in an arbitrary and unfair manner. Others have been induced to devote much time and energy to the pursuit of special tax advantages and still others have turned to sharp practice and evasion. By rewarding those who forgo the use of special deductions and exclusions with a lower tax rate than that generally applied, the bill will improve taxpayer morale greatly. It will reduce potential discontent by narrowing the possible gap between the tax burdens of similarly situated taxpayers. Pressures on Congress for special tax treatment of various kinds will be diminished. Morale will also be improved by reducing the Government's share of anyone's income to a maximum of 50 percent. There will be less reason to feel that the Government is a silent partner when it comes to the management of a business enterprise but a senior partner when it comes time to share the profits.

This bill will also conserve and promote the efficient use of our most valuable national resource, the skill and ability of our citizens. There are taxpayers who now reluctantly spend long hours arranging their tax affairs because they find that if they do not exploit the various special provisions in the tax law they will have to bear disproportionately heavy tax burdens. This bill will free them to devote more time to their principal job.

REPLIES TO CRITICS

Not all those who have read or discussed this bill agree with my analysis of its advantages. Some have asserted that the name "simplified" is misleading. They say taxpayers would have to compute their tax in both the regular manner and the simplified manner to find out which way was best for them. This criticism is surely exaggerated. The simplified tax plan has a close parallel in the standard deduction. How many taxpayers today compute their tax using first the standard deduction and then itemizing their deductions? Once the initial determination is made, which rarely requires more than a cursory examination, the election is adhered to year after year unless there is a major change in the taxpayer's financial situation. In a similar fashion, most taxpayers would be able to determine rapidly and easily whether it would be to their advantage to elect the simplified tax option. Indeed, I believe some people will take the option even though their tax might be somewhat higher than if they employed all the special provisions of present law. They simply would not feel the added effort trying to beat the tax system is worth the relatively small tax saving.

Furthermore, the simplified tax option, once elected, binds the taxpayer for 5 years under most conditions. In the last 4 years of the election period, then, taxpayers would have no choice to make under normal conditions.

I have also heard it said that this bill is primarily designed to benefit well-to-do taxpayers and therefore does not improve the equity of the tax system. First of all, this charge ignores the fact that two of the three principal features of the bill are designed specifically to benefit lower and middle income taxpayers. One-third of the revenue loss comes from increasing the minimum standard deduction, a provision which would help only those single taxpayers with incomes of less than $1,000 and only those married couples with correspondingly low incomes. A further one-third of the revenue loss results from doubling the present maximum to the 10-percent standard deduction, a revision which will be of primary benefit to middle income taxpayers. In other words, two-thirds of the tax reduction provided by this bill goes to low and middle income taxpayers.

In the second place, the criticism overlooks the fact that the problem this bill

is addressed to is equity between persons with like incomes. This problem is most acute at the middle and upper income levels. While some might prefer to solve it by increasing the tax liabilities of those who now pay relatively little tax, as a practical matter such a course offers little hope of success. The Members of Congress, as was all too evident in the deliberations on the Revenue Act of 1964, find it extremely difficult to remove so-called tax gimmicks or tax shelters because each one of these provisions is vigorously supported by an active group of citizens who feels it is necessary and desirable. Is it not then grossly unfair to those who now pay disproportionately high taxes to deny them just relief on the grounds that we would prefer to achieve equity through an approach that has little or no chance of ever being accepted? Lowering somewhat the tax burdens of those who pay way above average taxes will have little effect on the way the total tax burden is distributed among broad income classes. It will, however, bring the liabilities of those few taxpayers who are unable or unwilling to make use of the host of special provisions down closer to the average tax paid by others in their income class.

In the third place, this bill should be welcomed by those who are interested in a thorough-going reform of our tax system as an important first step. The concept of simplified taxable income does not reflect the special deductions and exclusions deplored by many would-be reformers. The simplified tax option will acquaint the public at large with the potential advantages of the universal application of such a concept of income. It should thus provide a better opportunity for the public to evaluate the merits of reform proposals. Moreover, the existence of the lower tax rates available under the option will reduce the relative tax benefits derived from the various special provisions, thereby reducing the strength of the forces interested in retaining or extending them.

Finally, other groups will object to particular aspects of my plan. To critics of any of the details of the optional tax plan, let me say that I am not wedded to the specifics of the plan I am today introducing. If the tax committees and the Congress, after considering the bill I am introducing, oppose any particular features of the bill on the grounds that deductions are not allowed but should be or income is included which should not be, I can only say that these are all matters which can be considered by the tax committees and the Congress itself. They can be modified if after further study this proves to be desirable.

DESCRIPTION OF THE BILL

The bill has three principal components. The first is the simplified tax option. A taxpayer electing this option would be taxed under a separate rate schedule with lower rates than those now in the law for taxpayers in general. For a single person the tax rate under the option would rise from 20 percent of the first $10,000 of simplified taxable income to 50 percent of simplified taxable income in excess of $50,000. At present the marginal tax rate for a single person with an income of $10,000 can be as high as 25 percent while the marginal rate on an income of over $50,000 ranges up to 70 percent. For married couples, the simplified taxable income brackets would be twice as wide as those of single people. Thus married couples would not reach to 50-percent rate until their combined simplified taxable income reached $100,000. A head of household rate scale is also provided under the option.

To qualify for the lower tax rates a taxpayer would have to compute his income without resorting to many of the deductions and exclusions granted under existing law. Compared to present law simplified taxable income includes: The full amount of the excess of net long-term capital gains over net short-term capital losses, workman's compensation payments, sick pay, the value to an employee of employer contributions to accident and health plans, certain employer-financed death benefits, the value to the lessor of improvements made by a lessee, the full amount of dividends received, the full value of scholarship and fellowship grants, the value of meals or lodging furnished at the convenience of the employer, and any gain realized on the sale of a personal residence by a taxpayer 65 years of age or over to the extent not reinvested in a new residence.

It also includes now excludable amounts of income earned in foreign countries and U.S. possessions and cost of living and other allowances. Two-thirds of amounts received as a pension or annuity under the Social Security or Railroad Retirement Acts would be included in simplified taxable income, as would unemployment benefits, amounts equal to the cost of employer-financed group term life insurance, the difference between the fair market value and the purchase price of option stock at the time of exercise, the amount of employer payments for pension and profit-sharing plans, if the rights are nonforfeitable, and certain other amounts. Tax-exempt interest also would be included in simplified taxable income.

Under the simplified option, deductions would be allowed for personal exemptions other than those for age or blindness, certain employee business expenses, the expenses of producing income, trade or business expenses other than those noted below and alimony. Deductions would not be allowed for charitable contributions, taxes paid on nonbusiness property or on income, interest payments other than those considered business expenses, the excess of percentage over cost depletion, exploration costs and intangible drilling expenses—such expenses would be capitalized—and contributions by self-employed persons to qualified retirement plans. Any net operating loss carried forward or back to a year in which the simplified tax option was in effect would be recomputed under the definition of simplified taxable income.

The retirement income credit and the credit for partially tax exempt interest would not be available under the option.

Once the simplified tax election were made, it would generally be followed for a period of 5 years, when the election could be repeated. The taxpayer would be free to revoke the election at any time during the 5 years if he is willing to accept a slight penalty. Tax would be recomputed under the regular provisions for the years the election had been in effect and if tax paid was less than the tax that would have been paid if the election has not been taken, the taxpayer will be assessed this amount plus interest. In addition, a penalty tax equal to 5 percent of the full recomputed tax liability will be imposed.

The election can be revoked without penalty when the taxpayer becomes disabled, or is discharged in bankruptcy. The election can also be revoked if a change in the law is judged by the Secretary or his delegate to eliminate the difference between the liabilities of taxpayers who use the optional method and those who do not. The election is terminated when the taxpayer marries. When the election is revoked, it cannot be elected again for 5 years without the permission of the Secretary.

The 5-year election period is necessary to prevent taxpayers from bunching their deductions in years in which they do not employ the option and then using the option in low-deduction years. At the same time, the 5-year period in combination with the termination and revocation provisions does not impose a hardship and will not prevent taxpayers from making use of the option. A substantial number of taxpayers will find the plan advantageous.

Electing taxpayers will be allowed the benefits of the income-averaging provisions, but these will be modified so that income for years during which the simplified tax option is in effect cannot be averaged with income from other years.

The other principal sections of this bill increase the standard deduction and the minimum standard deduction. The maximum limit of the standard deduction would be raised from $1,000 to $2,000 for single persons, married couples filing joint returns, and heads of households. The maximum limit would be raised from $500 to $1,000 on the returns of married couples filing separate returns. Thus the 10-percent standard deduction would be available for taxpayers with incomes ranging up to $20,000 instead of the present $10,000.

The minimum standard deduction would be increased by $100 for each single person, married couple, and head of a household. The minimum standard deduction on the return of a married person filing separately would be raised by $50. Thus a single person would not be taxed until his income exceeded $1,000. A married couple with no children would be nontaxable until their income reached $1,700 and a married couple with two children, until their income reached $3,100.

I ask unanimous consent that certain tables relating to the bill be printed in the RECORD.

There being no objection, the tables were ordered to be printed in the RECORD.

TABLE 1.—*Optional rate schedules under the Long proposal and under present law*

SCHEDULE I. LONG PROPOSAL: (A) SINGLE TAXPAYERS WHO DO NOT QUALIFY FOR RATES IN SCHEDULES II AND III AND (B) MARRIED PERSONS FILING SEPARATE RETURNS

If the amount of simplified taxable income [1] is—	Then as tax before credit—
Over 0 but over $10,000	Enter 0 plus 20 percent of excess over 0.
Over $10,000 but not over $14,000	Enter $2,000 plus 25 percent of excess over $10,000.
Over $14,000 but not over $18,000	Enter $3,000 plus 30 percent of excess over $14,000.
Over $18,000 but not over $32,000	Enter $4,200 plus 35 percent of excess over $18,000.
Over $32,000 but not over $50,000	Enter $9,100 plus 40 percent of excess over $32,000.
Over $50,000	Enter $16,300 plus 50 percent of excess over $50,000.

SCHEDULE II. LONG PROPOSAL: (A) MARRIED TAXPAYERS FILING JOINT RETURNS AND (B) CERTAIN WIDOWS AND WIDOWERS

If the amount of simplified taxable income [1] is—	Then as tax before credit—
Over 0 but not over $20,000	Enter 0 plus 20 percent of excess over 0.
Over $20,000 but not over $28,000	Enter $4,000 plus 25 percent of excess over $20,000.
Over $28,000 but not over $36,000	Enter $6,000 plus 30 percent of excess over $28,000.
Over $36,000 but not over $64,000	Enter $8,400 plus 35 percent of excess over $36,000.
Over $64,000 but not over $100,000	Enter $18,200 plus 40 percent of excess over $64,000.
Over $100,000	Enter $32,600 plus 50 percent of excess over $100,000.

SCHEDULE III. LONG PROPOSAL: UNMARRIED (OR LEGALLY SEPARATED) TAXPAYERS WHO QUALIFY AS HEAD OF HOUSEHOLD

If the amount of simplified taxable income [1] is—	Then as tax before credit—
Over 0 but not over $10,000	Enter 0 plus 20 percent of excess over 0.
Over $10,000 but not over $14,000	Enter $2,000 plus 22.5 percent of excess over $10,000.
Over $14,000 but not over $18,000	Enter $2,900 plus 25 percent of excess over $14,000.
Over $18,000 but not over $20,000	Enter $3,900 plus 27.5 percent of excess over $18,000.
Over $20,000 but not over $28,000	Enter $4,450 plus 30 percent of excess over $20,000.
Over $28,000 but not over $32,000	Enter $6,850 plus 32.5 percent of excess over $28,000.
Over $32,000 but not over $36,000	Enter $8,150 plus 35 percent of excess over $32,000.
Over $36,000 but not over $50,000	Enter $9,550 plus 37.5 percent of excess over $36,000.
Over $50,000 but not over $64,000	Enter $14,800 plus 42.5 percent of excess over $50,000.
Over $64,000 but not over $100,000	Enter $20,750 plus 45 percent of excess over $64,000.
Over $100,000 but not over $150,000	Enter $36,950 plus 50 percent of excess over $100,000.

SCHEDULE IV. RATES UNDER PRESENT LAW: (A) SINGLE TAXPAYERS WHO DO NOT QUALIFY FOR RATES IN SCHEDULES V AND VI AND (B) MARRIED PERSONS FILING SEPARATE RETURN

If the amount of taxable income [1] is—	Then as tax before credit—
Over 0 but not over $500	Enter 0 plus 14 percent of excess over 0.
Over $500 but not over $1,000	Enter $70 plus 15 percent of excess over $500.
Over $1,000 but not over $1,500	Enter $145 plus 16 percent of excess over $1,000.
Over $1,500 but not over $2,000	Enter $225 plus 17 percent of excess over $1,500.
Over $2,000 but not over $4,000	Enter $310 plus 19 percent of excess over $2,000.
Over $4,000 but not over $6,000	Enter $690 plus 22 percent of excess over $4,000.
Over $6,000 but not over $8,000	Enter $1,130 plus 25 percent of excess over $6,000.
Over $8,000 but not over $10,000	Enter $1,630 plus 28 percent of excess over $8,000.
Over $10,000 but not over $12,000	Enter $2,190 plus 32 percent of excess over $10,000.
Over $12,000 but not over $14,000	Enter $2,830 plus 36 percent of excess over $12,000.
Over $14,000 but not over $16,000	Enter $3,550 plus 39 percent of excess over $14,000.
Over $16,000 but not over $18,000	Enter $4,330 plus 42 percent of excess over $16,000.
Over $18,000 but not over $20,000	Enter $5,170 plus 45 percent of excess over $18,000.
Over $20,000 but not over $22,000	Enter $6,070 plus 48 percent of excess over $20,000.
Over $22,000 but not over $26,000	Enter $7,030 plus 50 percent of excess over $22,000.
Over $26,000 but not over $32,000	Enter $9,030 plus 53 percent of excess over $26,000.
Over $32,000 but not over $38,000	Enter $12,210 plus 55 percent of excess over $32,000.
Over $38,000 but not over $44,000	Enter $15,510 plus 58 percent of excess over $38,000.
Over $44,000 but not over $50,000	Enter $18,990 plus 60 percent of excess over $44,000.
Over $50,000 but not over $60,000	Enter $22,590 plus 62 percent of excess over $50,000.
Over $60,000 but not over $70,000	Enter $28,790 plus 64 percent of excess over $60,000.
Over $70,000 but not over $80,000	Enter $35,190 plus 66 percent of excess over $70,000.
Over $80,000 but not over $90,000	Enter $41,790 plus 68 percent of excess over $80,000.
Over $90,000 but not over $100,000	Enter $48,590 plus 69 percent of excess over $90,000.
Over $100,000	Enter $55,490 plus 70 percent of excess over $100,000.

SCHEDULE V. RATES UNDER PRESENT LAW: (A) MARRIED TAXPAYERS FILING JOINT RETURNS AND (B) CERTAIN WIDOWS AND WIDOWERS

If the amount of taxable income [1] is—	Then as tax before credit—
Over 0 but not over $1,000	Enter 0 plus 14 percent of excess over 0.
Over $1,000 but not over $2,000	Enter $140 plus 15 percent of excess over $1,000.
Over $2,000 but not over $3,000	Enter $290 plus 16 percent of excess over $2,000
Over $3,000 but not over $4,000	Enter $450 plus 17 percent of excess over $3,000.
Over $4,000 but not over $8,000	Enter $620, plus 19 percent of excess over $4,000.
Over $8,000 but not over $12,000	Enter $1,380 plus 22 percent of excess over $8,000.
Over $12,000 but not over $16,000	Enter $2,260 plus 25 percent of excess over $12,000.
Over $16,000 but not over $20,000	Enter $3,260 plus 28 percent of excess over $16,000.
Over $20,000 but not over $24,000	Enter $4,380 plus 32 percent of excess over $20,000.
Over $24,000 but not over $28,000	Enter $5,660 plus 36 percent of excess over $24,000.
Over $28,000 but not over $32,000	Enter $7,100 plus 39 percent of excess over $28,000.
Over $32,000 but not over $36,000	Enter $8,660 plus 42 percent of excess over $32,000.
Over $36,000 but not over $40,000	Enter $10,340 plus 45 percent of excess over $36,000.
Over $40,000 but not over $44,000	Enter $12,140 plus 48 percent of excess over $40,000.
Over $44,000 but not oer $52,000	Enter $14,060 plus 50 percent of excess over $44,000.
Over $52,000 but not over $64,000	Enter $18,060 plus 53 percent of excess over $52,000.
Over $64,000 but not over $76,000	Enter $24,420 plus 55 percent of excess over $64,000.
Over $76,000 but not over $88,000	Enter $31,020 plus 58 percent of excess over $76,000.
Over $88,000 but not over $100,000	Enter $37,980 plus 60 percent of excess over $88,000.
Over $100,000 but not over $120,000	Enter $45,180 plus 62 percent of excess over $100,000.
Over $120,000 but not over $140,000	Enter $57,580 plus 64 percent of excess over $120,000.
Over $140,000 but not over $160,000	Enter $70,380 plus 66 percent of excess over $140,000.
Over $160,000 but not over $180,000	Enter $83,580 plus 68 percent of excess over $160,000.
Over $180,000 but not over $200,000	Enter $97,180 plus 69 percent of excess over $180,000.
Over $200,000	Enter $110,980 plus 70 percent of excess over $200,000.

See footnotes at end of table.

TABLE 1.—*Optional rate schedules under the Long proposal and under present law*—Continued

SCHEDULE VI. RATES UNDER PRESENT LAW: UNMARRIED (OR LEGALLY SEPARATED) TAXPAYERS WHO QUALIFY AS HEAD OF HOUSEHOLD

If the amount of taxable income [1] is—	Then as tax before credit—
Over 0 but not over $1,000	Enter 0 plus 14 percent of excess over 0.
Over $1,000 but not over $2,000	Enter $140 plus 16 percent of excess over $1,000.
Over $2,000 but not over $4,000	Enter $300 plus 18 percent of excess over $2,000.
Over $4,000 but not over $6,000	Enter $660 plus 20 percent of excess over $4,000.
Over $6,000 but not over $8,000	Enter $1,060 plus 22 percent of excess over $6,000.
Over $8,000 but not over $10,000	Enter $1,500 plus 25 percent of excess over $8,000.
Over $10,000 but not over $12,000	Enter $2,000 plus 27 percent of excess over $10,000.
Over $12,000 but not over $14,000	Enter $2,540 plus 31 percent of excess over $12,000.
Over $14,000 but not over $16,000	Enter $3,160 plus 32 percent of excess over $14,000.
Over $16,000 but not over $18,000	Enter $3,800 plus 35 percent of excess over $16,000.
Over $18,000 but not over $20,000	Enter $4,500 plus 36 percent of excess over $18,000.
Over $20,000 but not over $22,000	Enter $5,220 plus 40 percent of excess over $20,000.
Over $22,000 but not over $24,000	Enter $6,020 plus 41 percent of excess over $22,000.
Over $24,000 but not over $26,000	Enter $6,840 plus 43 percent of excess over $24,000.
Over $26,000 but not over $28,000	Enter $7,700 plus 45 percent of excess over $26,000.
Over $28,000 but not over $32,000	Enter $8,600 plus 46 percent of excess over $28,000.
Over $32,000 but not over $36,000	Enter $10,440 plus 48 percent of excess over $32,000.
Over $36,000 but not over $38,000	Enter $12,360 plus 50 percent of excess over $36,000.
Over $38,000 but not over $40,000	Enter $13,360 plus 52 percent of excess over $38,000.
Over $40,000 but not over $44,000	Enter $14,400 plus 53 percent of excess over $40,000.
Over $44,000 but not over $50,000	Enter $16,520 plus 55 percent of excess over $44,000.
Over $50,000 but not over $52,000	Enter $19,820 plus 56 percent of excess over $50,000.
Over $52,000 but not over $64,000	Enter $20,940 plus 58 percent of excess over $52,000.
Over $64,000 but not over $70,000	Enter $27,900 plus 59 percent of excess over $64,000.
Over $70,000 but not over $76,000	Enter $31,440 plus 61 percent of excess over $70,000.
Over $76,000 but not over $80,000	Enter $35,100 plus 62 percent of excess over $76,000.
Over $80,000 but not over $88,000	Enter $37,580 plus 63 percent of excess over $80,000.
Over $88,000 but not over $100,000	Enter $42,620 plus 64 percent of excess over $88,000.
Over $100,000 but not over $120,000	Enter $50,300 plus 66 percent of excess over $100,000
Over $120,000 but not over $140,000	Enter $63,500 plus 67 percent of excess over $120,000.
Over $140,000 but not over $160,000	Enter $76,900 plus 68 percent of excess over $140,000.
Over $160,000 but not over $180,000	Enter $90,500 plus 69 percent of excess over $160,000.
Over $180,000	Enter $104,300 plus 70 percent of excess over $180,000.

[1] Under the Long proposal tax is computed on "simplified taxable income" rather than "taxable income" as under present law. Simplified taxable income includes certain types of income not taxable under present law and is computed without any deduction for personal expenses (interest, taxes, contributions, etc.) and certain other items.

TABLE 2.—*Capital gains, by income levels*

Returns with adjusted gross income of—	Comprise this percentage of all taxpayers—	But receive this percentage of all capital gains
$200,000 and over	0.0096 of 1 percent	16
$100,000 and over	0.04 of 1 percent	24
$50,000 and over	0.2 of 1 percent	35
$10,000 and over	8.7 percent	69
Less than $5,000	57.8 percent	17

Published in Senate Finance Committee's Report on the Revenue Act of 1964, Jan. 28, 1964, p. 162.

TABLE 3.—*Effective tax rates under present law for high-income taxpayers with low, medium, and high proportions of capital gains*

Adjusted gross income	Tax as percent of total income [1]	Adjusted gross income	Tax as percent of total income [1]
High proportion of capital gains:		Medium proportion of capital gains—Continued	
$120,000	25.9	$700,000	25.4
$170,000	24.5	$2,000,000	28.0
$300,000	22.3	Low proportion of capital gains:	
$700,000	21.0	$120,000	34.9
$2,000,000	21.4	$170,000	37.2
Medium proportion of capital gains:		$300,000	41.6
$120,000	29.1	$700,000	40.6
$170,000	29.2	$2,000,000	46.4
$300,000	28.7		

[1] Total income is adjusted gross income plus capital gains excludable from adjusted gross income.

TABLE 4.—*Revenue effect of Long proposal* [1]

AGI class	Present law tax	Tax change
Under $10,000	$18, 355, 000, 000	−$270, 000, 000
$10,000 to $20,000	10, 550, 000, 000	−140, 000, 000
$20,000 to $50,000	5, 785, 000, 000	−150, 000, 000
$50,000 and over	4, 730, 000, 000	−145, 000, 000
Total	39, 420, 000, 000	−705, 000, 000

[1] Proposal would provide an optional rate schedule, extend the standard deduction ceiling to $2,000, and raise the minimum standard deduction to $400 and $100 for spouse and each dependent, 1964 estimate.

TABLE 5.—*Number of tax returns benefiting and revenue loss from the increased standard deduction ceiling of $2,000, increased minimum standard deduction, or optional feature of the Long proposal*

[Number of returns in thousands and dollar amount in millions]

AGI class	Increased ceiling		Increased minimum standard deduction		Option		Long proposal	
	Number of returns [1]	Revenue loss	Number of returns [2]	Revenue loss	Number of returns	Revenue loss	Number of returns	Revenue loss
0 to $10,000	27	(3)	11,000	$270			11,027	$270
$10,000 to $20,000	2,305	$140			10	(3)	2,315	140
$20,000 to $50,000	152	65			240	$85	392	150
$50,000 to $100,000	1	5			55	85	56	90
$100,000 and over	(4)	(3)			8	55	8	55
Total	2,485	210	11,000	270	313	225	13,798	705

[1] Benefiting only from the increased standard deduction ceiling of $2,000.
[2] Benefiting only from raising minimum standard deduction to $400 and $100 for spouse and each dependent. About 700,000 returns would become nontaxable.
[3] Less than $2,500,000.
[4] Less than 500.

NOTE.—1964 estimate.

TABLE 6.—*Number of returns benefiting from the increased standard deduction ceiling of $2,000, increased minimum standard deduction or optional feature of the Long proposal*

[Number in thousands]

Adjusted gross income class (thousand)	Number of taxable returns [1] present law	Number benefiting only from ceiling increase		Number benefiting only from increased minimum standard deduction [2]		Number choosing the option		Total Long proposal	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent
All returns:									
Under $10	41,621	27	0.1	11,000	26.4			11,027	26.5
$10 to $20	6,709	2,305	34.4			10	0.1	2,315	34.5
$20 to $50	1,042	152	14.6			240	23.0	392	37.6
$50 and over	152	1	.7			63	41.4	64	42.1
Total	49,524	2,485	5.0	11,000	22.2	313	.6	13,798	27.9
Standard deduction:									
Under $10	23,327	25	.1	10,700	45.9			10,725	46.0
$10 to $20	1,762	1,757	99.7			5	.3	1,762	100.0
$20 to $50	98	38	38.8			60	61.2	98	100.0
$50 and over	4	1	25.0			3	75.0	4	100.0
Total	25,191	1,821	7.2	10,700	42.5	68	.3	12,589	50.0
Itemized deductions:									
Under $10	18,294	2	(3)	300	1.6			302	1.7
$10 to $20	4,947	548	11.1			5	.1	553	11.2
$20 to $50	944	114	12.1			180	19.1	294	31.1
$50 and over	148	(4)				60	40.5	60	40.5
Total	24,333	664	2.7	300	1.2	245	1.0	1,209	5.0

[1] At calendar year 1963 levels of income.
[2] Includes 700,000 returns which would become nontaxable.
[3] Less than 0.05 percent.
[4] Less than 500.

TABLE 7.—*Number of returns benefiting from simplification*

[Number in thousands]

Adjusted gross income class	Number of taxable returns present law [1]	Number benefiting from ceiling increase		Number benefiting from increased minimum standard deduction [2]		Number benefiting from option		Total, Long proposal	
		Number	Percent of class	Number	Percent of class	Number	Percent of class	Number	Percent of class
Under 10,000	41,621	2	(3)	[2] 300	0.7			[2] 302	0.7
10,000 to 20,000	6,709	548	8.2			10	0.1	558	8.3
20,000 to 50,000	1,042	114	10.9			240	23.0	354	34.0
50,000 and over	152	(4)				63	41.4	63	41.4
Total	49,524	664	1.3	[2] 300	.6	313	.6	[2] 1,277	2.6

[1] At calendar year 1963 levels of income.
[2] Also 700,000 would become nontaxable.
[3] Less than 0.05 percent.
[4] Less than 500.

TABLE 8.—*Example of tax disparity. Case A is an example of a high income taxpayer who would not use the Long proposal. Case B is an example of a high income taxpayer who would probably use the Long proposal*

	Present law		Case A using Long option	Case B using Long option
	Case A	Case B		
Wages and salaries	$90,000	$50,000	$90,000	$50,000
Dividends	50,000	150,000	50,000	150,000
Interest (tax exempt)	150,000		150,000	
Capital gains (100 percent)	700,000	100,000	700,000	100,000
Other income (net)	10,000	[1] 700,000	10,000	700,000
Income	1,000,000	1,000,000	1,000,000	1,000,000
Wages and salaries	90,000	50,000		
Dividends less exclusion	49,800	149,800		
Interest (tax exempt)				
Capital gains (50 percent)	350,000	50,000		
Other income (net)	10,000	700,000		
Adjusted gross income	499,800	949,800		

	Present law		Case A using Long option	Case B using Long option
	Case A	Case B		
Exemptions	$2,400	$2,400	$2,400	$2,400
Deductions	300,000	30,000		
Contributions	10,000	5,000		
Interest	200,000	2,000		
Taxes	80,000	20,000		
Medical	5,000	2,000		
Other	5,000	1,000		
Tax	[2] 175,000	603,160	481,400	481,400
Tax as percent of income	17.5	60.3	48.1	48.1

[1] Partnership income.

[2] Alternative capital gains tax of 25 percent only.

TABLE 9.—*Example of tax disparity of actual taxpayers and effect of Long proposal*

Item	Present law		Case D using Long option
	Case C	Case D	
Wages and salaries	$17,708	$201,436	$201,436
Dividends	258,089	30,612	30,612
Interest	69,394		
Capital gains (100 percent) [1]	561,995	4,728	4,728
Other income (net)	28,595	117,548	117,548
Income	935,781	354,324	354,324
Wages and salaries	17,708	201,436	
Dividends less exclusion	257,889	30,512	
Interest	69,394		
Capital gains (50 percent)	286,287	2,364	
Other income (net)	28,595	117,548	
Adjusted gross income	659,873	351,860	

Item	Present law		Case D using Long option
	Case C	Case D	
Exemptions	$2,400	$3,000	$3,000
Deductions	396,108	23,665	
Contributions	120,330	5,299	
Interest	247,809	937	
Taxes	14,629	13,025	
Medical			
Other	13,340	4,404	
Tax	137,854	198,144	158,262
Tax as percent of income	14.7	55.9	44.7

[1] Includes net short-term gain of $10,579.

TABLE 10.—*Example of tax disparity of actual taxpayers and effect of Long proposal*

Item	Present law		Case F using LONG option
	Case E	Case F	
Wages and salaries	$20,000	$201,916	$201,916
Dividends	76,318	34,994	34,994
Interest	206	1,174	1,174
Capital gains (100 percent)	1,210,426	−4,491	−1,000
Other income (net)	−22,283	345,275	345,275
Income	1,284,667	578,868	582,359
Wages and salaries	20,000	201,916	
Dividends less exclusion	76,218	34,894	
Interest	206	1,174	
Capital gains (50 percent)	605,213	−1,000	
Other income (net)	−$22,283	$345,275	
Adjusted gross income	679,354	582,259	

Item	Present law		Case F using LONG option
	Case E	Case F	
Exemptions	$1,200	$1,800	$1,800
Deductions	676,419	62,403	
Contributions	463	43,155	
Interest	587,693	3,168	
Taxes	85,401	11,072	
Medical	2,500		
Other	362	5,008	
Tax	265	333,619	272,880
Tax as percent of income	.02	57.6	47

TABLE 11.—*Example of tax disparity of actual taxpayers and effect of Long proposal*

Item	Present law		Case H using Long option
	Case G	Case H	
Wages and salaries	$28,580	$198,243	$198,243
Dividends	115,675		
Interest	13,367	4,455	4,455
Capital gains (100 percent)	27,584		
Other income (net)	45,703	−4,619	−4,619
Income	230,909	198,079	198,079
Wages and salaries	28,580	198,243	
Dividends less exclusion	115,475		
Interest	13,367	4,455	
Capital gains (50 percent)	13,792		
Other income (net)	$45,703	−$4,619	
Adjusted gross income	216,917	198,079	

Item	Present law		Case H using Long option
	Case G	Case H	
Exemptions	2,400	600	600
Deductions	149,820	12,912	
Contributions	63,105	6,050	
Interest	37,237	3,097	
Taxes	17,566	3,764	
Medical	4,207		
Other	27,705		
Tax	24,408	114,687	90,040
Tax as percent of income	10.6	57.9	45.5

CONSTANTINO BRUMIDI—MICHELANGELO OF THE U.S. CAPITOL

Mr. DOUGLAS. Mr. President, I submit a concurrent resolution providing for a bust of the noted artist, Constantino Brumidi, to be placed in the Nation's Capitol. I previously announced in Chicago on December 10, 1965, that I would introduce such legislation honoring Constantino Brumidi who for a quarter of a century, from 1855 to 1880, labored to decorate the U.S. Capitol with his murals and other paintings.

His genius has thrilled millions of the visitors to the Capitol who have walked its spacious halls and historic rooms and viewed the beauty of its painted walls, particularly in the Senate hallway appropriately titled the "Brumidi Corridor."

Constantino Brumidi, often termed the "Michelangelo of the U.S. Capitol," was born in Rome, Italy, July 26, 1805, and was one of the three Roman artists in his native Italy commissioned to restore Raphael frescoes in the Vatican loggia in Vatican City. He was exiled to America because of political activities in 1852 and was hired by Capt. Montgomery C. Meigs to decorate the Agricultural Committee room at the Capitol in 1855. After he was commissioned Brumidi remarked:

> I no longer have any desire for fame or fortune. My one ambition and my daily prayer is that I may live long enough to make beautiful the Capitol of the one country on earth in which there is liberty.

His brush was busy in succeeding years, and the Nation's Capitol was his canvas. His work included the Senate reception room, Senate Appropriations Committee room, the President's room in the Senate extension, the Senate floor corridors, the House of Representatives Chamber, the House of Representatives committee room, the Capitol rotunda, containing his magnificent frescoes frieze of 15 historical groupings and capped by his huge frescoed canopy in the eye of the Capitol dome, measuring some 4,664 square feet of concave fresco. His work flourished until his tragic fall while working on the rotunda frieze terminated his labors. He died in 1880 and was buried in an unmarked grave in Washington's Glenwood Cemetery, and it took 72 years for a grateful Nation to acknowledge its debt to this man. Led by persistence of Dr. Myrtle Cheney Murdock, wife of the then Congressman Murdock, Democrat, of Arizona, Congress, authorized a bronze marker for Brumidi's grave in Glenwood Cemetery.

Some 86 years have passed since Constantino completed his final act of love in gracing the walls of the most important citadel of freedom in the world, the U.S. Capitol, and not a single bust or statue of him is to be found in our Capitol. It is certainly the least we can do for a man who signed his work with pride as "C. Brumidi, artist, citizen of the United States."

The PRESIDING OFFICER. The concurrent resolution will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 70) was referred to the Committee on Rules and Administration, as follows:

S. CON. RES. 70

Resolved by the Senate (the House of Representatives concurring), That the Joint Committee on the Library is authorized and directed to procure a marble bust of Constantino Brumidi, and to cause such bust to be placed in the corridor, known as the Brumidi corridor, on the first floor of the Senate wing of the Capitol.

SEC. 2. Expenses incurred by the Joint Committee on the Library in carrying out this concurrent resolution, which shall not exceed $2,500, shall be paid out of the contingent fund of the Senate on vouchers approved by the Chairman of the Joint Committee.

AMENDMENT OF DISTRICT OF COLUMBIA MINIMUM WAGE LAW—AMENDMENTS

AMENDMENT NO. 476

Mr. DOMINICK submitted amendments, intended to be proposed by him, to the bill (H.R. 8126) to amend the District of Columbia minimum wage law to provide broader coverage, improved standards of minimum wage and overtime compensation protection, and improved means of enforcement, which were ordered to lie on the table and to be printed.

AMENDMENTS NOS. 477, 478, AND 479

Mr. PROUTY submitted three amendments, intended to be proposed by him to House bill 8126, supra, which were ordered to lie on the table and to be printed.

NATIONAL WILD RIVERS SYSTEM—AMENDMENT

AMENDMENT NO. 480

Mr. MORSE proposed an amendment to the bill (S. 1446) to reserve certain public lands for a National Wild Rivers System, to provide a procedure for adding additional public lands and other lands to the system, and for other purposes, which was ordered to be printed.

CHANGE OF REFERENCE

Mr. CHURCH. Mr. President, I ask unanimous consent that the following executive message—a letter from the Administrator of Veterans' Affairs, Veterans' Administration, Washington, D.C., transmitting a draft of proposed legislation to furnish assistance to certain disabled veterans of the induction period in the purchase of an automobile or other conveyance, with accompanying papers referred to Committee on Finance on May 4, 1965, be rereferred to the Committee on Labor and Public Welfare.

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

NOTICE OF HEARINGS ON S. 2097, TO PROVIDE FOR JUDICIAL REVIEW OF THE CONSTITUTIONALITY OF GRANTS OR LOANS UNDER CERTAIN ACTS

Mr. ERVIN. Mr. President, as chairman of the Subcommittee on Constitutional Rights, I wish to announce that hearings will be held by this subcommittee on S. 2097, introduced by the distinguished Senator from Oregon, Senator MORSE, and cosponsored by Senators CLARK and YARBOROUGH, and myself. This bill provides for judicial review to determine the constitutionality of grants or loans under certain acts.

The hearings are scheduled for February 1, 2, 3, 8, 9, and 10, at 10:30 a.m. each day, in room 2228 of the New Senate Office Building. Any person who wishes to testify or submit statements pertaining to this bill should communicate with the Subcommittee on Constitutional Rights.

POSTPONEMENT AND RESCHEDULING OF HEARING BY SUBCOMMITTEE ON SMALL BUSINESS ON S. 2729, TO AMEND THE SMALL BUSINESS ACT

Mr. PROXMIRE. Mr. President, I should like to announce the postponement of the hearing on S. 2729, a bill to amend the Small Business Act, with respect to provisions of the act relating to the revolving fund, which was originally scheduled by the Subcommittee on Small Business of the Banking and Currency Committee for 10 a.m. Tuesday, January 18, 1966.

The hearing has been rescheduled for Tuesday, January 25, 1966, at 10 a.m., in room 5302, New Senate Office Building.

Any persons who wish to appear and testify in connection with this bill are requested to notify Reginald Barnes, assistant counsel, Senate Committee on Banking and Currency, room 5300, New Senate Office Building, Washington, D.C., telephone 225-3921.

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 on January 14 the Senate received the nominations of Marshall P. Jones, of Maryland, to be Ambassador to Malawi, to which office he was appointed during the last recess of the Senate, and Cecil B. Lyon, of New Hampshire, now serving as Ambassador to Ceylon, to serve concurrently and without additional compensation as Ambassador to the Maldive Islands, to which office he was appointed during the last recess of the Senate.

In accordance with the committee rule, these pending nominations may not be considered prior to the expiration of 6 days of their receipt in the Senate.

HEARINGS ON NOMINATION OF JAMES S. DUESENBERRY TO THE COUNCIL OF ECONOMIC ADVISERS

Mr. ROBERTSON. Mr. President, I should like to announce that the Committee on Banking and Currency will hold a public hearing at 10 a.m. on Thursday, January 20, 1966, on the nomination of Prof. James S. Duesenberry, of Massachusetts—of the Harvard faculty—to be a member of the Council of Economic Advisers, in place of Mr. Otto Eckstein.

The hearing will be held in room 5302, New Senate Office Building. The nominee will be present. Any persons who wish to testify or to submit a report

should write or telephone Mr. Matthew Hale, chief of staff, Senate Banking and Currency Committee, 5300 New Senate Office Building, Washington, D.C., CA 5-3921.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the joint resolution (S.J. Res. 125) extending the date for transmission of the Economic Report.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. JAVITS:

Statement by him on the Brooklyn Public Library preschool program.

By Mr. CASE:

Telegram sent by him on the occasion of the testimonial dinner to the Honorable Julius Foster, Jr., and a press release in connection therewith.

ATTACK ON HON. J. EDGAR HOOVER

Mr. HICKENLOOPER. Mr. President, I had intended, during the morning hour on last Friday, to discuss this subject, and to put in the RECORD a letter dealing with it. However, I was not on the floor when the Senate suddenly adjourned and I did not reach the Chamber quite in time.

The information contained in the letter did leak out in some way, however. For the RECORD I wish to do now what I had intended to do last Friday.

About 10 days ago, I received a scurrilous anonymous letter, mailed from Baltimore, alleged to contain a photostatic copy of a letter which was alleged by the writer of the anonymous letter to have been written by J. Edgar Hoover, Director of the Federal Bureau of Investigation, to Walter Jenkins.

The alleged photostatic copy of the letter is so scurrilous and putrid that I do not intend to put it in the RECORD.

I sent the anonymous letter to Mr. Hoover for his information and for whatever aid and assistance it might be.

Mr. Hoover wrote me a letter, stating that he had received the anonymous letter with the alleged copy of a letter which he was supposed to have written, according to the anonymous letter.

He states categorically that he never wrote such a letter. For the information of Senators who are present, perhaps I should read the letter into the RECORD, instead of merely putting it in the RECORD.

The letter is dated January 11, 1966, and reads as follows:

U.S. DEPARTMENT OF JUSTICE,
FEDERAL BUREAU OF INVESTIGATION,
Washington, D.C., January 11, 1966.

Hon. BOURKE B. HICKENLOOPER,
U.S. Senate,
Washington, D.C.

MY DEAR SENATOR: This is to acknowledge your request for the complete facts as known to this Bureau concerning the anonymous letter you received containing what purports to be a copy of a personal letter to former White House aid Walter Jenkins over my signature.

I am pleased to comply with your request and will begin first by stating without any equivocation that I never wrote such a letter.

The letter you received is one of many anonymous mailings sent to various Senators, Congressmen, and other prominent Government officials within the past week. They are part of a concerted Communist smear campaign which was launched a year ago.

The campaign began in January 1965, when several letters of this type were received by individuals who also brought them to my attention. Several more were brought to my attention by individuals who received them in April 1965.

Upon examination, the copy of the letter supposedly signed by me was determined to be a crude forgery. Comparison of all the letters disclosed they had all been prepared by the same person or persons. Further comparison with other letters circulated in the past in this and other countries by the Soviet Disinformation Department proved irrefutably that this was a Communist scheme.

You may recall that the nefarious schemes of the Soviet Disinformation Department were exposed in a report prepared by the Central Intelligence Agency last year, The details of that Agency's study were printed in the CONGRESSIONAL RECORD of September 28, 1965.

The study revealed that the Soviet Disinformation Department of the KGB, the Soviet Committee for State Security, wages a broad-scaled propaganda offensive against U.S. agencies and pointed out that I and the Federal Bureau of Investigation are priority targets for attacks. It also disclosed that the overall objective is to discredit U.S. agencies here and abroad and emphasized that a preferred instrument used by the Soviets in their attacks is the forged document.

Typical of the tactics used in such efforts was the circulation of letters in South America in the summer of 1964. In that case, too, my name had been forged on the letters. They were designed to make it appear that the Federal Bureau of Investigation and the Central Intelligence Agency had something to do with the Brazilian revolution of April 1964. The intricacies of that Communist scheme became further apparent when we determined that my signature has been forged from a letter stolen by Cubans in Havana in 1960.

I trust that in making these facts available to you I have satisfied any and all questions which the scurrilous anonymous communication you received may have raised. If not, do not hesitate to call on me again.

In conclusion, I would like to express my appreciation to you for bringing the letter to my attention. It provides another link in the chain of evidence being put together to complete the picture of this Soviet smear campaign, which amounts to character assassination.

Sincerely yours,

J. EDGAR HOOVER.

The PRESIDING OFFICER. The time of the Senator from Iowa has expired.

Mr. HICKENLOOPER. Mr. President, I ask unanimous *consent* that I may proceed for 1 additional minute.

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

Mr. HICKENLOOPER. Let me conclude by saying, with respect to the suggestion in Mr. Hoover's letter that I might have some question about this matter, that, the letter was so crude and so scurrilous that on its face it was a forgery. At no time have I had any question as to the truth or falsity of the letter. It is false on its face. I merely wish to clear the matter up so that all may know that these things are constantly going on as attacks are made against our law enforcement agencies.

VISIT TO SOUTHEAST ASIA

Mr. AIKEN. Mr. President, I should like to supplement briefly the remarks which have been made by the distinguished majority leader, the Senator from Montana [Mr. MANSFIELD].

Let me say, first, that the mission which was undertaken under the leadership of the Senator from Montana met with courtesy and hospitality everywhere the group went, even where the country visited took exception to our position in southeast Asia.

The Senator from Montana is greatly respected around the world. This was quite apparent, previous to our call at Cambodia. When the announcement of our coming was made, the Senator from Montana was described as "a man of great justice."

As I have stated, we had been hospitably received everywhere, but I believe that all of us were unprepared for the warmth of the reception which we received in Cambodia, the government of which is headed by Prime Minister Sihanouk, who relinquished a kingdom to take a position which he felt would be more helpful to his people.

Prime Minister Sihanouk did not mention some of the complaints which have been attributed to him in reports which have been spread around the world. He is more concerned over trespassing on the area of Cambodia by others. If there is trespassing, I would say that it probably is not confined to one side of the South Vietnamese controversy. Any such trespassing, I would presume, is done without the consent of the Government of Cambodia.

As the Senator from Montana has stated, Prime Minister Sihanouk has requested that the International Control Commission do what it can to control the situation and to enforce respect for the boundaries of his country.

Prime Minister Sihanouk has also requested inspection by others of the charges which have been made against his government that the country harbors the Vietcong and others who are hostile to us.

It was quite apparent to me that the Government of Cambodia desires, above all else, to be let alone, not to be dragged into anyone's war, not to be dominated by any country either within Asia or outside Asia. As I see it the fear of domination exists not only in this country, but also in all the other countries of southeast Asia as well.

The PRESIDING OFFICER (Mr. MONTOYA in the chair). The time of the Senator from Vermont has expired.

Mr. AIKEN. Mr. President, I ask unanimous consent that I may proceed for 1 additional minute.

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

Mr. AIKEN. One thing that is very much apparent is that Chinese propaganda is blanketing most of southeast Asia. The Chinese are not inhibited by the truth. It is quite apparent that they concoct stories to spread all over southeast Asia with the purpose of keeping the people disturbed and to incite them, if possible, to hate Americans and everything connected with America.

As I have stated, Cambodia gives full credit for the assistance we have given it in the past. We have been advised that Americans will be welcome to come to Cambodia at any time, to visit that country, I believe that American visitors would be perfectly safe in going there, and would be well received.

But, carrying on their business and holding on to their neutral position, where they have resisted communism in spite of the many pressures which have been placed upon them, is not easy for them.

Cambodia has plenty of resources for its people. It is making economic progress. It has shown no inclination to go Communist. We were pleasantly surprised at the turnout of the people who came to welcome our group. The capital of Phnom Penh looked almost like Constitution Avenue on Inaugural Day and it appeared to me that their welcome was quite sincere.

MORE SCHOOLCHILDREN WANT MORE MILK, BUT SCHOOL MILK PROGRAM IS BEING CUT BACK

Mr. PROXMIRE. Mr. President, this is another in a series of statements I intend to make in the Senate as a result of the action of the Bureau of the Budget in prohibiting the Department of Agriculture from spending appropriated funds for the special milk program for schoolchildren—an action which means no real saving of tax dollars.

Today, I examine the great increase in program participation that has taken place in the past, and the even greater increase we could expect in the future if the Federal share were not being ruthlessly cut. Of course, a cut in the Federal share means that the State, the local school district, or the child will have to assume the added costs. This will not only dampen program growth but may even lead to a program cutback in many States.

In 1955, 41,094 outlets participated in the school milk program. Over 449 million half pints were distributed. In 1964, program participation had increased to 91,890 outlets—in other words, over 100 percent—while more than 2,917 million half pints were distributed—a phenomenal increase of almost 650 percent. The 1965 estimate is for 94,000 outlets distributing 3,093 million half pints. In 1966, the figures estimated are 96,000 outlets distribute over 3,278 million half pints.

What has the Bureau of the Budget done in the face of this unprecedented growth? Despite a projected growth of 6 percent in half pints distributed in fiscal 1966, the Bureau has cut back program funds by 3 percent. Every penny of this cut means less money to the States. Not one cent, according to the budget estimates submitted to the House and Senate Appropriations Committees last year, will be absorbed by decreased Federal operating expenses in Washington.

If we follow the Budget Bureau's logic, I suppose that a projected growth in enrollment in public and nonpublic elementary and secondary schools of more than 6½ million students, or almost 14 percent between 1965 and 1975 will mean a cutback of at least 7 percent in the school milk program. I profoundly hope, Mr. President, that the Bureau of the Budget does not continue to apply this twisted logic. Certainly if it does, Congress should speak out in no uncertain terms, as I am doing today, and intend to do on this floor for as long as it takes to get a policy change.

Let us never forget, Mr. President, that this cutback is a phony, fake, paper economy. Federal funds not spent on school milk will be spent under price support laws to buy and store the same quantity of milk.

THE PRESIDENT'S HARD DECISION

Mr. YOUNG of Ohio. Mr. President, Walter Lippmann, the great and internationally admired columnist, in Newsweek of January 17, wrote an excellent column regarding our situation in Vietnam. These are important conclusions of facts I feel should be brought to the attention of American citizens and to all Members of the Congress who may not have read his exceedingly important and factually correct statement. Mr. President, I ask unanimous consent that this column may be printed at this point in the RECORD as a part of my remarks.

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

WALTER LIPPMANN ON THE PRESIDENT'S HARD DECISION

After his most recent trip to South Vietnam, Secretary McNamara ventured to say that, as a result of our efforts, we have stopped losing the war. Perhaps he was referring to the fact that at the beginning of 1965 not only had the Saigonese army lost control of the countryside with the exception of five or six cities, but the government in Saigon was disintegrating and was on the verge of making a deal with Hanoi.

During the past year there has been no significant improvement in the military situation. Once the American soldiers retire, the villages which are recovered from the Vietcong are quickly lost again. The balance of military power has not been changed in our favor. For as we have increased our own army, the adversary has increased his army, both by stepping up the infiltration from the north and by greater recruitment in the south. The one real change has been that the government in Saigon is now a dictatorship of four generals who are fully aware that personally they have every reason to avoid a truce and to continue the war.

So, the President finds himself no nearer, and almost certainly further away from, his avowed objectives in Vietnam. He has been confronted with what he now describes, quite correctly, as "hard decisions." What are the hard decisions? At bottom, the President has to choose between a bigger war and an unattractive peace. He must decide either to launch a big American war in Asia, a war which could easily be bigger than the Korean war because it could so quickly involve both China and the Soviet Union, or to cut our losses by reducing his political and military objectives.

EXTEND THE WAR, OR SETTLE FOR LESS?

This is indeed a hard choice. A long war means heavy casualties. It means the disruption of the lives of another generation of young men. It means that the Nation will be distracted from the attempt to solve its own problems—such as the problems of the cities and the problems of the Negroes and the problems of industrial peace. It means once again, for the fourth time in this century, that the Nation will turn its attention from its own urgent affairs to a war abroad. It means also that this country will be diverted from the development of the Americas and from its vital national interests in Europe and Australasia.

The other choice open to the President is also a hard one, especially for a proud man who wants to be universally popular. For there is no disguising the fact that a negotiated truce can be had only by settling for a good deal less than a victory, and this means that the President must expect to be denounced by many, and to have his pride wounded. It takes great political strength and a high degree of moral courage for the head of a state to make the kind of peace which may now be possible in the Vietnamese mess. General Eisenhower, the victorious commander of the allied armies, was able to make a settlement in Korea which President Truman would never have dared to make. General Eisenhower had at that time an invulnerable prestige.

An even more pertinent analogy is to be found in the way General de Gaulle liquidated the messy war in Algeria. The President would do well to study and ponder what happened, how General de Gaulle extricated France from a war which she had not lost but could not win, how he negotiated with his adversaries in the field, the Algerian counterpart of the Vietcong, and made with them a "peace of the brave," how he outwitted and defied the extremists at the risk of his life—and how, having devoted himself unflinchingly to the true interest of France, which was peace with Algeria, he won the gratitude and esteem of his countrymen, including almost all of those who voted against him in the recent election.

PAYING THE PRICE

The hard decision the President has to make is whether he can accept the political and psychological risks of dealing with Vietnam as General Eisenhower dealt with Korea and as General de Gaulle dealt with North Africa. For President Johnson will have to pay a heavy price for the historical mistake of involving the United States in a land war against Asians in Asia. The alternative to paying a price for peace is to pay the enormous price of a great war which threatens to expand into a world war.

The President has made it quite clear that he realizes the hard choice which is before him. Naturally enough, he is looking for some easier way out of his dilemma. If only he could find one. But by his decisions in 1964, he rejected the warning by men in a position to know that there was not much time left to negotiate an arrangement. He has come very near to locking and bolting the door. He has raised the stakes so high that easy solutions are most improbable and only the hard choices remain.

Mr. YOUNG of Ohio. Mr. President, in the Washington Post of this morning there appeared an extremely noteworthy news article entitled "Gavin Says Hanoi Bomb Could Bring in Peiping Units," reporting on a letter of Gen. James Gavin which will appear in the February issue of Harper's magazine.

General Gavin, former chief of Army research and development, is one of our Nation's most outstanding military officers and a former Ambassador to France. The article reports General Gavin's warning that a massive buildup of U.S. forces in Vietnam may cause the Communist Chinese to send troops there and reopen the Korean war as well.

It is interesting to note that General Gavin disagrees with former Air Force Chief of Staff Gen. Curtis Lemay, and other war hawks who are urging the bombing of Hanoi and Haiphong. General Gavin, who was chief of U.S. Army plans and operations at the time of the French military disaster at Dienbienphu, certainly speaks with as much—and I for one feel a great deal more—authority than do those militarists who demand expansion and escalation of our fighting in Asia without giving consideration to the consequences involved. His statements also discredits the so-called domino theory, which has no validity whatever.

I believe that General Gavin's comments are of great importance and ask unanimous consent that the article reporting them be printed in the RECORD at this point as a part of my remarks.

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

GAVIN SAYS HANOI BOMBING COULD BRING IN PEIPING UNITS

NEW YORK, January 16.—Gen. James M. Gavin declared today a massive buildup of U.S. forces in Vietnam may prompt Red China to send troops there and reopen the Korean war as well.

The 58-year-old former chief of U.S. Army research and development suggested that America concentrate instead on holding major bases along the South Vietnam coast while diplomats seek an end to the fighting.

In a letter appearing in the February issue of Harper's magazine, Gavin said:

"To increase the bombing and to bomb Hanoi—or even Peiping—will add to our problems rather than detract from them, and it will not stop the penetrations of North Vietnam troops into the South.

"Also, if we were to quadruple, for example, our combat forces there, we should then anticipate the intervention of Chinese volunteers and the reopening of the Korean front.

ESCALATION SEEN LIKELY

"This seems to be the ultimate prospect of the course that we are now on."

Gavin said the 190,000 U.S. troops already in the Vietnam theater would suffice "if we should maintain enclaves on the coast, desist in our bombing attacks on North Vietnam, and seek to find a solution through the United Nations or a conference in Geneva."

He asserted that an attempt to make all of South Vietnam secure from the Communists "would take many times as much force as we now have in Vietnam"—and risk a fresh outbreak of Red Chinese aggression in the Korean pattern.

"I do not for a moment think that if we should withdraw from Vietnam the next stop would be Waikiki," Gavin said. "The Kra Peninsula, Thailand and the Philippines can all be secured, although we ultimately might have heavy fighting on the northern frontiers of Thailand."

Emphasizing that he spoke "solely from a military-technical point of view," Gavin recalled that he was chief of U.S. Army plans and operations at the time of the French military disaster in Dien Bien Phu.

He said Gen. Matthew B. Ridgway, then Chief of Staff, "directed that we go into the situation quite thoroughly in case a decision should be made to send U.S. forces into the Hanoi delta."

"The more we studied the situation," Gavin wrote, "the more we realized that we were, in fact, considering going to war with China, since she was supplying all the arms, ammunition, medical, and other supplies to Ho Chi Minh.

"If we would be, in fact, fighting China, then we were fighting her in the wrong place on terms entirely to her advantage."

Gavin said southeast Asia is no place to take on Red China in military combat.

"Manchuria, with its vast industrial complex, coal, and iron ore, is the Ruhr of China and the heart of its warmaking capacity," he said. "There, rather than in southeast Asia, is where China should be engaged, if at all."

SHOWDOWN NOT YET DUE

Gavin added that if Red China continues aggression and arms itself with nuclear weapons "the time may come when China will bring upon herself a nuclear war. But that time is not here yet."

Gavin, a paratroop commander in World War II, retired from the Army in 1958 because of differences with the Eisenhower administration over modernizing the Armed Forces. He was a particularly strong exponent of more aerial mobility for ground troops.

Gavin called this "the sky cavalry concept, which we are now employing in South Vietnam" and commented.

"When I retired in 1958, I said that I would be happy to serve as a private in the Army if it were the kind of an army that I wanted it to be.

I think it is that kind of an army now * * *."

EXECUTIVE SESSION

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Senate go into executive session to consider two nominations which are at the desk. It will require unanimous consent, because they have not lain over for a day, but by unanimous consent they can be considered.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider executive business.

The PRESIDING OFFICER. If there be no reports of committees, the first nomination will be stated.

ROBERT C. WEAVER, SECRETARY OF HOUSING AND URBAN DEVELOPMENT

The legislative clerk read the nomination of Robert C. Weaver, of New York, to be Secretary of Housing and Urban Development.

Mr. KUCHEL. Mr. President, let the RECORD show that the Committee on Banking and Currency, to which the nomination was referred, has unanimously approved it. History is made today as the Senate of the United States, with no opposition—indeed, with unanimity—will seat as a member of the Cabinet of the President a distinguished American citizen, a Negro, whose labors in the Federal Government thus far have stamped him as one in whom Members of the Senate who have dealt with him have complete respect and faith. I congratulate Dr. Robert C. Weaver on the great challenge he now faces to help in improving urban America.

The leader of the Republican Party in the Senate, the Senator from Illinois [Mr. DIRKSEN], has publicly expressed his approval of the nomination. I rise to say that, not merely the leader of our party in the Senate, but the Members of the minority party on the committee who participated in the hearing and the rest of us shall shortly join in approval of the nomination of an able fellow citizen to vast new responsibility.

Mr. MORSE. Mr. President, I take only a moment to express my support of the nomination of Robert C. Weaver to be head of a department that will be concerned with urban problems. I have known of his work on a good many occasions. It was my privilege to have him as a member of the delegation which went to Peru for the inauguration of the democratic President, Mr. Belaunde. It was my privilege to serve as chairman of that delegation during that trip to Latin America. I came to know Mr. Weaver even better than I had known him before.

I congratulate Mr. Weaver, but congratulations are even more due to the President. I not only congratulate the President, but highly commend him for his wise selection of a great American to head an important post which will deal with domestic problems, related to that post, in the years ahead. The President could not have made a choice that demonstrated greater wisdom than the selection of Mr. Weaver to be the head of that Department.

Mr. JAVITS. Mr. President, I, together with the junior Senator from New York [Mr. KENNEDY], had the privilege of appearing before the Banking and Currency Committee, of which I was a member, 2 years ago, to urge confirmation of the nomination of Dr. Weaver for this post. The Nation is fortunate to have produced such a son, who, at long last, has been chosen to sit in the Cabinet of the President.

I had the privilege of being a member of the cabinet when Mr. Harriman was Governor of New York. I was attorney general. At that time, Dr. Weaver was a member of the cabinet on housing. Because of his skill, competence, and integrity, he has made a landmark in terms of minorities. Senator KENNEDY and I have testified fully before the Banking and Currency Committee. I said previously in the committee that, while Dr. Weaver was a Negro, he would not use that fact to practice reverse discrimination in legislation; that he would call decisions as he saw them; that he would not be obsessed by the fact that he was of a minority group, but that he would make the correct decision as an American. Therefore, I know that Dr. Weaver will serve in his new post with distinction and will make great contributions in that new duty.

Mr. PROXMIRE. Mr. President, as a member of the Banking and Currency Committee, and as a member of the Subcommittee on Housing, I am delighted to rise in support of the nomination of Robert C. Weaver, who is eminently qualified for this position. He was an undergraduate of and received a Ph. D. from Harvard University. He has had excellent background and experience in

this field. He has had a peculiar opportunity to learn the business during his duties in Washington.

Mr. President, it is my understanding that some members of the Committee on Banking and Currency who would oppose Mr. Weaver and certain Senators who opposed him when his nomination as Administrator was under consideration will support him now because they have seen him in action. They know him as competent and able. On the basis of this excellent experience he will render a fine service in this completely new department of our Government.

It is a great honor for me to endorse the nomination of Robert C. Weaver. I support him wholeheartedly.

Mr. GRUENING. Mr. President, it is my privilege to rise in support of the nomination of Robert C. Weaver for this important position in Housing and Urban Development.

I believe I have known Robert C. Weaver longer than has any other Member of this body. We came into Government service at about the same time, some 32 years ago. He had just received his Ph. D. in economics from Harvard University, and came to the Interior Department as an adviser to the Secretary of the Interior, Harold Ickes.

At the same time I had been appointed director of a new agency, the Division of Territories and Island Possessions. Our fields were separate, but we came to know each other well.

At that time I was able to appreciate the sterling qualities, integrity, and ability of Robert C. Weaver. I have known him for 30 years. I am confident that the President could have made no better appointment for this position.

It is a great privilege for me to endorse this nomination. I commend the President for having come to the conclusion after some delay and after searching throughout the country, that no other man could fill this post as well as Robert C. Weaver.

Mr. President, it gives me pleasure to ask unanimous consent for the insertion of two excellent editorials commending the appointment of Robert C. Weaver as Secretary of the new Department of Housing and Urban Development. One is from the New York Times of Sunday, January 16, 1966, and the other from yesterday morning's Washington Post.

I also ask unanimous consent that another article, entitled: "Weaver in Cabinet but Job is Unclear," by Robert B. Semple, Jr., from the New York Times of January 16, be likewise printed at the conclusion of my remarks.

It is obvious that President Johnson's appointment of Weaver is being widely hailed, as it should be, as the best possible appointment that he could have made.

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

[From the New York Times, Jan. 16, 1966]

THE WEAVER APPOINTMENT

President Johnson's appointment of Robert C. Weaver as Secretary of the new Department of Housing and Urban Renewal has been long expected.

A Harvard-trained economist, Dr. Weaver has government experience dating from the early days of the Roosevelt Administration. He is dedicated and knows the field to which he has been assigned; he was Deputy State Housing Commissioner and later New York State Rent Administrator under Governor Harriman. President Kennedy subsequently named him to the top housing post in the country. He has attained Cabinet level—first Negro in American history to do so—despite some criticism of his abilities and his imagination.

If the appointment of Robert Weaver to his new post is the end of the road in the sense that the struggle to put a Negro in the Cabinet is won, so is it the beginning of another road along which vast new strides must be taken toward better living conditions. "In some of our urban areas we must help rebuild entire sections and neighborhoods containing as many as a 100,000 people," the President said in his state of the Union message. "Working together, private enterprise and government must press forward with the task of providing homes and shops, parks and hospitals, and all the other necessary parts of a flourishing community where our people can come to live the good life." It is Robert Weaver's task to direct and coordinate such an ambitious effort, and we wish him the best of luck in this monumental job.

[From the Washington Post, Jan. 16, 1966]

SECRETARY WEAVER

In appointing Dr. Robert Clifton Weaver to serve as the first Secretary of Housing and Urban Development President Johnson chose the best available man for a difficult post. A pioneer in public housing whose experience goes back to the early days of the New Deal, Dr. Weaver served with distinction as the rent administrator in New York City, housing commissioner for the State of New York, and finally as the Administrator of the Housing and Home Finance Agency.

The fact that Dr. Weaver is the great-grandson of a slave will irk those whose prejudices are blinding where men of color, no matter how talented, are concerned. And it will by the same token enlist the equally biased support of those who hold that the new Cabinet post should have gone to a Negro irrespective of his capabilities. Fair-minded Americans applaud the appointment of a great authority on urban affairs and housing who happens to be a Negro. And they are equally delighted by the appointment of Robert C. Wood as Under Secretary. Dr. Wood, a native of Florida and professor at the Massachusetts Institute of Technology, has gained an enviable reputation in the field of urban affairs at the age of 42.

After describing the problems with which the new Department will be confronted, President Johnson turned to Dr. Weaver and said, "May the good Lord have mercy on you." The new Secretary's legion of admirers share that sentiment, and have confidence in his ability to build an effective Department.

[From the New York Times, Jan. 16, 1966]

WEAVER IN CABINET BUT JOB IS UNCLEAR

(By Robert B. Semple, Jr.)

WASHINGTON, Jan. 15.—At a surprise news conference Thursday, President Johnson said to the assembled reporters:

"I think you are all aware of the thorough search I have made to find the best man to lead the new Department of Housing and Urban Development. No man is going to have a more difficult but challenging job—and no man is going to be better able to leave a mark on generations of Americans to come—than the man who takes this vital task."

The President said he had looked over 300 potential candidates. But in the end, he selected a man who was there all the time—Robert C. Weaver. The announcement of Mr. Weaver's appointment ended a period of speculation that began as soon as Congress approved creation of the Department last year.

HOUSING EXPERT

Mr. Weaver, 58, has been Administrator of the Housing and Home Finance Agency since the beginning of the Kennedy administration in 1961. The Agency, a conglomeration of various housing agencies, is likely to form the core of the new Department.

If approved by Congress, Mr. Weaver will be the first Negro in history to become a member of the Cabinet. This, of course, is arresting news in itself, but the real question now is whether Mr. Weaver's appointment heralds the beginning of a new era in the relationship between the Federal Government and the cities, or whether it is merely a continuation of the old.

The answer depends, in part on whether Mr. Johnson accepts the recommendations of a special task force that he put to work on urban problems last fall.

The task force recommended that a number of Government programs involving aid to the cities—programs now lodged in other agencies—be transferred to the new Department. If these recommendations are accepted, Mr. Weaver will have much greater power than ever before, and, some people believe, he will also be in a better position to coordinate Federal efforts to solve urban problems.

POVERTY ROLE?

But the task force recommendations appear to have been greeted with less than total enthusiasm at the White House. A proposal to transfer some important functions of the poverty program to the new Department has apparently been turned down, although Mr. Johnson denied this at a news conference this week.

A suggestion that antipollution efforts of the Department of Health, Education, and Welfare be transferred is still in a state of suspension; and efforts to enlarge the responsibilities of the new Department in the field of transportation have apparently been sidetracked by the President's own proposal to establish a Department of Transportation.

Therefore, Mr. Weaver's domain may wind up being no larger than the empire over which he currently presides in the housing agency. However, there will be changes.

In the first place, the legislation creating the new Department made sure that Mr. Weaver had more than nominal control over the constituent agencies of his Department, which is the situation today. He will have direct control over the new Assistant Secretary for the Federal Housing Administration—a post that replaces that of FHA Commissioner, over whom he now has little statutory authority—and he can do whatever he likes with the Community Facilities Administration, the Urban Renewal Administration, and the Public Housing Administration.

Secondly, the act creating the Department suggests, rather vaguely, that the new Secretary of H.U.D.—now known as "HUD" in Washington parlance—do what he can to coordinate the efforts of other agencies, including his own, to keep the cities from falling into complete chaos. Thus the post of "urban coordinator" will be important. This post was established in the act to help pull together Federal urban programs into one smoothly orchestrated operation.

So the new Secretary will have some important powers, whatever Mr. Johnson does with the task force recommendations. But there is one fly in the ointment. If the Secretary acquires no new functions other than the housing function over which he has ruled since 1961, then his power will depend on his

ability to make other Government agencies with urban programs coordinate. And this, in turn, will depend on whether or not the President supports him.

This issue, too, is in doubt. Mr. Johnson kept Mr. Weaver hanging for 4 months while he searched for somebody else to head the Department. Mr. Weaver is a very good man, but the President's long talent hunt suggested that the White House felt there was somebody, somewhere, who was better.

POWERS

Then, too, Mr. Weaver had managed to anger many powerful special interest groups in the urban field, although it is hard to contemplate a housing administrator who would not. The mayors, for example, complained that they could not get the necessary funds for urban renewal, and that the processing of their urban renewal plans got caught up in all kinds of unnecessary redtape.

The upshot of all this is that Mr. Weaver—who turned down several excellent offers while waiting for the President to make up his mind—comes to his new post under rather unfavorable auspices.

With the President's support he can be an excellent administrator, an innovator, and a salesman with Congress. He can transform a housing agency into a creative and powerful force in American life. Without the President's support, he may end up being just another housing administrator.

Mr. LONG of Louisiana. Mr. President, I believe it appropriate to point out that we have heard discussions of discrimination in the consideration of the Civil Rights Act of 1964 and the Civil Rights Act of 1965. It is worth noting that the Senate discriminated in favor of Mr. Weaver.

The Senate came to the unanimous conclusion that the nomination should be considered without lying over for 1 day as the rules require. A single objection, of course, would have delayed the nomination.

The reason that the Senate saw fit to act in this regard as to Robert C. Weaver is that he has performed well in his present position many functions he will have as a member of the President's Cabinet. He performed those functions.

I have heard no charge or suggestion that he would do anything other than his duty as the merciful God permits him to do that duty and to see the facts as they come before him.

On that basis, just as the Senate gave its consent that the nomination be considered, I urge that the nomination be confirmed.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

ROBERT C. WOOD

The legislative clerk read the nomination of Robert C. Wood to be Undersecretary of the Department of Housing and Urban Development.

The PRESIDING OFFICER. Without objection the nomination is confirmed.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nominations.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

On request of Mr. LONG of Louisiana, and by unanimous consent, the Senate resumed the consideration of legislative business.

ORDER OF BUSINESS

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Senate return to morning hour business.

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

MANSFIELD-AIKEN MISSION REPORT

Mrs. SMITH. Mr. President, an excellent article has been written on the Mansfield-Aiken mission and on the report of that extremely important and carefully selected "blue ribbon" senatorial group. It is an article by Vic Maerki in the January 10, 1966, issue of the Burlington Free Press. Mr. Maerki knows whereof he speaks because he is no stranger to the Washington scene as he has delved deeply into the legislative operations of our Federal Government from both the aspect of a working member of the press and a hard working legislative staff assistant.

He accords to the Mansfield-Aiken mission and its report the seriousness, dignity, and recognition it so richly merits. I call the attention of the Senate particularly to the last paragraph of his article in which he states:

Whether the conclusions by these two distinguished national leaders are valid or not, they have done the United States a service by voicing their opinions on the eve of the opening of a session of the Congress that will surely be the forum for a widening—and perhaps, climactic—national dialog on the subject.

To this I would add my own personal comment that whether one agrees with the findings, conclusions, and opinions expressed in the Mansfield-Aiken mission report or subscribes to their position, it must be recognized that this is the deadly serious work of respected, eminently capable, and dedicated national leaders.

I ask unanimous consent that the Maerki article be placed in the RECORD at this point and invite the attention of all Senators to it.

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

ONCE OVER LIGHTLY

(By Vic Maerki)

In the 74th year of a life that has spanned two world wars and a series of smaller conflicts, U.S. Senator GEORGE D. AIKEN, Republican, of Vermont, is trying his hardest to help his country prevent world war III.

To that end, the wise old Vermonter has joined in a grim report to President Johnson that warns the only alternative to a general war in Asia may be an unpopular and unsatisfactory negotiated settlement of the conflict in Vietnam.

It has become apparent in recent days that AIKEN has become convinced that the United States will have to strike some painful bargain in Vietnam to reduce the danger of that war spreading into a world conflict.

The grim substance of AIKEN's feelings have already been made public by U.S. Senator MIKE MANSFIELD, Democrat, of Montana, the Senate majority leader.

AIKEN was one of four Senators who accompanied MANSFIELD on a world mission whose major purpose was to compile facts on the war in Vietnam and on the world attitude toward the war.

The formal report of the MANSFIELD mission was made public this week, but the Nation and the world have had little word on the private, oral report MANSFIELD gave the President on December 19, the day after the five Senators returned to this country.

But AIKEN and others close to MANSFIELD have suggested the Senator majority leader's report to the President was even grimmer than the formal report, if that is possible.

The evidence is that MANSFIELD told the President that there is very little hope that the United States will be able to negotiate the kind of settlement in Vietnam that all Americans are hoping for.

AIKEN has already suggested that he and MANSFIELD feel the best the United States can hope for is a kind of settlement that will provide a limited type of "peace" in South Vietnam.

MANSFIELD and AIKEN appear to agree that that prompt efforts by the United States might lead to a negotiated settlement of the widening conflict between the United States and regular North Vietnamese troops who take their orders from Hanoi.

At the same time, the two Senate leaders are making it clear that they feel that kind of settlement would do little, if anything, to end the war of terror being waged against the South Vietnamese Government by the Vietcong guerrillas.

That suggestion, of course, is not the kind of proposal that either President Johnson or his key advisers want to make to this Nation or to the world. It is not the kind of "peace" that Americans—including MANSFIELD and AIKEN—want to accept.

But, AIKEN and MANSFIELD have—in the strongest possible terms—warned the President that the United States is nearing the point of no return to Vietnam, a point at which the alternative to an unsatisfactory negotiated settlement may be a general war in Asia.

AIKEN has made it clear to friends that he has given his unqualified support to all the private recommendations MANSFIELD has given to the President, and Johnson is aware of that support.

There have also been growing indications that the Mansfield report to President Johnson on December 19 may have contributed substantially to Johnson's decision to suspend the bombing raids against North Vietnam.

AIKEN and MANSFIELD are old friends. AIKEN and Johnson are old friends and the President, at AIKEN's birthday party last year, called the Vermont Senator "a great American" and a colleague whose wisdom and counsel he valued highly.

Neither MANSFIELD or AIKEN have taken an extreme position in the Vietnam dilemma. Unlike some of the other leaders in Washington, MANSFIELD and AIKEN have not pretended their suggestions can guarantee a solution to the struggle in southeast Asia.

MANSFIELD and AIKEN have been in the center of the moderate position in the Vietnam debate, and their major contribution to that debate so far has been to make it clear that there can be no simple solution to the complex problem.

Neither MANSFIELD or AIKEN is willing to sacrifice the honor of the United States in Asia, and they have made it clear despite the suggestions of some of their critics to the contrary.

But, they have warned that insistence on unconditional surrender in Vietnam is not consistent with the facts they found unless

the United States is prepared to risk general war in Asia.

In short, AIKEN and his old friend MANSFIELD are arguing that this Nation should face the prospect that there can be no clean, simple solution to a dirty, complicated situation.

Whether the conclusions by these two distinguished national leaders are valid or not, they have done the United States a service by voicing their opinions on the eve of the opening of a session of the Congress that will surely be the forum for a widening—and perhaps, climatic—national dialog on the subject.

PEACE OFFENSIVE IN VIETNAM

Mr. CLARK. Mr. President, all of us must continue to hope and pray that the peace offensive for Vietnam, instituted by the President, will be successful. My concern today is over what appears to be a difference of opinion at lower levels in the administration as to what the United States should do in the event the current effort to stop the killing and to begin the talking around the conference table, should be unsuccessful.

In this connection, I believe an extremely important editorial, entitled "After the Pause," was published in the Washington Post yesterday. I ask unanimous consent that the text of the editorial may be printed at the end of my remarks.

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

(See exhibit 1.)

Mr. CLARK. Mr. President, this editorial expresses in large part my own view, to the effect that we should avoid, at almost any cost, continuing an escalation of the war; that if we are unable to persuade Hanoi and perhaps Peiping to come to the conference table or, in the alternative, gradually to ease off their attacks, we should hole up in the major cities; that our policy should be not to escalate, but to defend the strongholds. In my opinion, that is a far wiser plan than the one which is reported on the first page of the New York Times this morning, under the headline "United States Is Reported To Set Deadline for Peace Drive. Washington's View Growing Pessimistic in Absence of Reply From Hanoi. Limit Put Near January 24. Bombing of North Vietnam Might Resume at Closing of Lunar New Year."

The source of this statement is anonymous. I do not know where this statement originated, but I hope it is not true. I strongly support the President in his efforts to get to the conference table, and in his efforts to keep the war in Vietnam from accelerating into world war III.

Mr. President, I further ask unanimous consent to have printed in the RECORD at the end of my remarks an excellent column along these lines, entitled "L.B.J.: Searching Out of the Trap," written by Marquis Childs, and published in the Washington Post of January 17.

There being no objection, the column was ordered to be printed in the RECORD.

(See exhibit 2.)

Mr. CLARK. Mr. President, I further call the attention of Senators and to readers of the RECORD generally to an excellent statement by Gen. James M. Gavin, which was published in the newspapers this morning, during the course of which he said:

> To increase the bombing and to bomb Hanoi—or even Peiping—will add to our problems rather than detract from them, and it will not stop the pentrations of North Vietnam troops into the South.

Further, the article reads:

> Gavin said the 190,000 U.S. troops already in the Vietnam theater would suffice "if we should maintain enclaves on the coast, desist in our bombing attacks on North Vietnam, and seek to find a solution through the United Nations or a conference in Geneva."

Mr. President, I ask unanimous consent that the complete statement published in the Washington Post this morning, summarizing General Gavin's letter to Harpers magazine, may be printed at the end of my remarks.

There being no objection, the article was ordered to be printed in the RECORD.

(See exhibit 3.)

Mr. CLARK. Mr. President, I ask unanimous consent that I may proceed for 1 minute.

The PRESIDING OFFICER. With out objection, it is so ordered.

Mr. CLARK. I am not of the view, as expressed in the Post editorial, that a large majority of the Members of Congress are in favor of starting to bomb North Vietnam, or to destroy Hanoi, or to attack the Chinese nuclear capability wherever it may be found. I am of the view that there is a majority in Congress who are behind the President in his commonsense efforts to find peace in Vietnam. I hope that this expression of my view may persuade other Members of the Senate who feel as I do to speak up for commonsense and for peace.

EXHIBIT 1

[From the Washington Post, Sunday, Jan. 16, 1966]

AFTER THE PAUSE

The President very wisely has put no terminal date on his peace offensive or on the pause in air operations against the north while the peace efforts go forward. Since there has been no known response from Hanoi, either affirmative or negative, it is too early to say whether there will be any results. Sooner or later, if there are no negotiations at all, consideration will have to be given to the next military moves.

There is a powerful impulse in the Congress, in the country, and in some places in the executive department, for a resumption of air activity and for an initiation of full-scale warfare against the north to put a speedy end to a disagreeable war. Powerful as this impulse is, and strong as the support may be for the use of more military muscle, it is to be hoped that the President will reject the counsels of those who wish to escalate the war. There is not much reason to believe that an unlimited air war would achieve decisive results. North Vietnam does not present the kind of industrial targets that are peculiarly vulnerable to mass bombing. Even if the United States were indifferent to the moral arguments against mass bombing (and it is not indifferent), the practical results probably would not be any more decisive than were the results of area bombing in World War II. While stepped-up interdiction of communications might further diminish the ability of North Vietnam to give logistic support to a conventional military invasion, there is not much hope that it would stop infiltration of troops in small units. And even if the bombing succeeded in all these counts, the Chinese Communist support of North Vietnam might make the results indecisive. As long as air operations are directed at North Vietnam (and not China), we are embarked upon the task of kicking the cart until the horse cries for mercy.

The unconditional withdrawal of U.S. forces is a course for which there is little responsible support in the country. And the primary reason is that no one can give any assurance that this policy would be any more successful as a means of ending the war in southeast Asia than the policy of escalating the conflict. Escalation might simply move the war to another and larger theater. Withdrawal also would be likely to move the conflict to another theater in another country.

To continue or expand the present offensive against the Vietcong in the south, by the employment of the tactics now being pursued, is going to involve a heavier commitment than we have so far made if it is to have any reasonable prospect for success. Such an expanding commitment, accompanied by rising commitments of North Vietnam and China and Russia, might easily produce another stalemate at a higher level.

The facts of the situation seem to argue strongly for a somewhat different application of the military power we feel we can appropriately commit to the area. No doubt it is an alternative that already has been explored—and perhaps even rejected. But it can be argued quite persuasively that in the next phase of the war, the United States and its allies might wisely alter the character of the war in the direction of a more economical and efficient deployment. At present, we are engaged in an offensive-defense, employing both ground and air forces in the hot pursuit of Vietcong elements into terrain offering the greatest advantages of concealment and the most serious hazards to pursuing forces. To seek out and destroy a guerrilla force by such tactics, overwhelming force is required on a ratio of at least 10 to 1. The present ratio, counting all South Vietnam and American and allied forces is 826,000 to 230,000 according to the Mansfield report—and the rate of North Vietnam infiltration is on the order of 1,500 a month. So the possibility or feasibility of achieving antiguerrilla ratios like those in Malaysia and the Philippines is remote.

If it is difficult or impossible for us to annihilate the Vietcong without a military investment that looks excessive, it can be made impossible for the Vietcong to achieve their objectives without a deployment beyond their means. Were our tactics to alter from pursuit to a take-and-hold basis, the burden for the offensive could be shifted to the Vietcong. It is our purpose to deny North Vietnam the fruits of a war of "national liberation," and we can do that by successfully holding the areas now occupied and slowly and persistently enlarging them by territorial sweeps instead of jungle pursuit. The American and South Vietnam forces, while steadily expanding the occupied areas and pushing out their defense perimeters, would be chiefly engaged in garrison operations. These, of course, are wasteful in terms of manpower employed but economical in terms of manpower expended. They are less hazardous and more feasible for a country in command of air power and thus able to maintain communications with scattered garrisons than they were for the French. Within the areas occupied by the South Vietnamese and by our forces, a program of rehabilitation and reconstruction could be pushed forward, once it becomes possible to afford the peasants and villagers security.

The military priorities under such a strategy, would be (1) securing of areas already held, (2) expansion of that territory only as rapidly as we are prepared to take and

hold new real estate, (3) pursuit operations only where they can be carried out with greatest economy of force, (4) air operations chiefly in close support of territorial enlargement, and, as indicated, against large and vulnerable enemy concentrations, (5) air interdiction of routes from the north, scaled to the degree of infiltration, (6) no air attack on North Vietnam for the time being or unless surveillance discloses massing for offensive operations against the south.

This is no quick and easy formula for an offensive military success in conventional military terms. It contemplates neither the annihilation of enemy forces, the crushing of the enemy's will to resist, or the solid gains of invasion and quick occupation. It projects the steady, slow, and patient pacification and reconstruction of South Vietnam. It must be acknowledged that success will consist of denying the victory of the North Vietnamese and the Vietcong in all the territory we are prepared to take and hold and then rebuilding that occupied area and providing the inhabitants with a higher standard of living. The forces required will be quite large; but the losses in combat should be much smaller with the defending forces enjoying the advantages of well-equipped men in strong defensive positions. It will cost more money but it should cost fewer lives. It will take more time—but we should not be in a hurry.

Away from the combat areas, the strategy has the virtue of making it clear to the world that our role is purely defensive. The war in South Vietnam will come to a stop if the forces of the National Liberation Front quit their attacks. Every dispatch from the war areas will make it plain that it is the Communists who are responsible for loss of life and destruction of property. In the absence of negotiated peace there can be, under this formula, a tacit peace, whenever the Vietcong wish it.

This is no blueprint for either victory or peace in a hurry. But it is a blueprint that involves the surrender of no principle; it makes possible the de-escalation of the conflict; it contemplates the confinement of the war to the area now involved. It does not have the simplicity of victory or surrender. It plainly looks forward to an admittedly remote date when enough of the territory of South Vietnam will be secure so that there can be normal elections under which the people can pick a government of their own choice—and decide for themselves whether they wish to affiliate with North Vietnam or retain their independence.

EXHIBIT 2

[From the Washington Post, Jan. 17, 1966]

L.B.J.: SEARCHING OUT OF THE TRAP

(By Marquis Childs)

As cruel a choice as any President ever faced—that is the prospect for Lyndon Johnson at the start of the second year of his first full term as Chief Executive and Commander in Chief. In any objective view of where we stand today the President is seen, in fact, to have no choice.

The guns-versus-butter argument is almost wholly meaningless. It implies that by trimming off a little fat the Nation can devote itself to winning the war in Vietnam. As Chief Executive, Mr. Johnson knows how false this is.

He had had on his desk for some time a report still classified secret showing 21 "high tension" cities where there is steady deterioration in the Negro ghettos. To ignore this and postpone or abandon the programs for making at least a start at correcting a century of injustice is to risk disaster. Violence and rioting on the scale of Watts could break out in any one of these cities in coming months.

But as Commander in Chief he has come to understand the nature of the trap that is Vietnam. This was the great service performed by his own chief inspector, Senator MIKE MANSFIELD, the Senate's majority leader. When Senator MANSFIELD and his four colleagues returned from the round-the-world trip on which the President had sent them he made clear without any sugar-coating the consequences of an open-ended land war in Asia.

The Mansfield report is believed to have been the most important factor in the commonsense decision the President has for the time being arrived at. That is to make Vietnam a holding operation while a new and revitalized attempt is underwritten to win the villages and pacify the areas held by the South Vietnamese with American help.

This comes belatedly after the tragic errors of the past have been compounded. The so-called hamlet program was little more than a system of armed stockades within which helpless villagers were confined often at the mercy of returning Vietcong. The new program is inspired by Maj. Gen. Edward C. Lansdale, consistent advocate of the vital need to win the allegiance of the Vietnamese people.

Part of the new program is to try to broaden the base of the government in Saigon. It is today hardly more than a shadow government with Premier Nguyen Cao Ky representing a dominant military faction. The critics of negotiation make a powerful point when they say that any agreement to end the war would almost inevitably result in a takeover by the Communists in South Vietnam in a relatively short time. But the more the government slips into the role of American puppet the less likely it is that any independent regime can ever be established, with South Vietnam becoming an American protectorate into the indefinite future.

As head of his political party, the third horse he must ride in a race with odds that the Founding Fathers could hardly have conceived, the President understandably did not show his entire hand. And it is here in the weeks just ahead that the testing will come. For a large part of the military, conspicuously the Air Force, and their spokesmen will fight what appears to be a holding operation looking to an eventual settlement. Balked of their goal their shrill cries promise to become hysterical.

That goal is in one disguise or another a preventive war against Communist China. Their case sounds very much like the argument for a preventive war against the Soviet Union in the late 1940's.

As politician, compelled to tailor his decision to clients covering the entire spectrum, the President runs his greatest risks in the year ahead. Trying to please everyone—to keep his consensus—he will end by pleasing no one. Merely cutting up the conventional pie, in deference to the threat of inflation, will not be enough if the cities are really to be made over. Holding the line may prove militarily impossible and if the Communist enemy gives him no quarter, in response to all his efforts to find an honorable way out, he will have to take the steps toward escalation and the prospect of a greatly enlarged war that he so dreads.

To ridicule the President's peace offensive is easy enough. The conventional diplomat shudders in distaste. But there is increasing evidence that it has had a marked effect in both the allied and nonalined worlds, and no one can say what may be the results behind the Communist barriers. Here is a man determined to find his way out of the trap who will not stand on the conventional wisdom.

EXHIBIT 3

[From the Washington Post, Jan. 17, 1966]

GAVIN SAYS HANOI BOMBING COULD BRING IN PEIPING UNITS

NEW YORK, January 16—Gen. James M. Gavin declared today a massive buildup of U.S. forces in Vietnam may prompt Red China to send troops there and reopen the Korean war as well.

The 58-year-old former chief of U.S. Army research and development suggested that America concentrate instead on holding major bases along the South Vietnam coast while diplomats seek an end to the fighting.

In a letter appearing in the February issue of Harper's magazine, Gavin said:

"To increase the bombing and to bomb Hanoi—or even Peiping—will add to our problems rather than detract from them, and it will not stop the penetrations of North Vietnam troops into the south.

"Also, if we were to quadruple, for example, our combat forces there, we should then anticipate the intervention of Chinese 'volunteers' and the reopening of the Korean front.

"ESCALATION SEEN LIKELY

"This seems to be the ultimate prospect of the course that we are now on."

Gavin said the 190,000 U.S. troops already in the Vietnam theater would suffice "if we should maintain enclaves on the coast, desist in our bombing attacks on North Vietnam, and seek to find a solution through the United Nations or a conference in Geneva."

He asserted that an attempt to make all of South Vietnam secure from the Communists "would take many times as much force as we now have in Vietnam"—and risk a fresh outbreak of Red Chinese aggression in the Korean pattern.

"I do not for a moment think that if we should withdraw from Vietnam the next stop would be Waikiki," Gavin said. "The Kra Peninsula, Thailand, and the Philippines can all be secured, although we ultimately might have heavy fighting on the northern frontiers of Thailand."

Emphasizing that he spoke "solely from a military-technical point of view," Gavin recalled that he was Chief of U.S. Army Plans and Operations at the time of the French military disaster in Dienbienphu.

He said Gen. Matthew B. Ridgway, then Chief of Staff, "directed that we go into the situation quite thoroughly in case a decision should be made to send U.S. forces into the Hanoi Delta."

"The more we studied the situation," Gavin wrote, "the more we realized that we were, in fact, considering going to war with China, since she was supplying all the arms, ammunition, medical, and other supplies to Ho Chi Minh.

"If we would be, in fact, fighting China, then we were fighting her in the wrong place on terms entirely to her advantage."

Gavin said southeast Asia is no place to take on Red China in military combat.

"Manchuria, with its vast industrial complex, coal and iron ore, is the Ruhr of China and the heart of its warmaking capacity," he said. "There, rather than in southeast Asia, is where China should be engaged, if at all."

SHOWDOWN NOT YET DUE

Gavin added that if Red China continues aggression and arms itself with nuclear weapons "the time may come when China will bring upon herself a nuclear war. But that time is not here yet."

Gavin, a paratroop commander in World War II, retired from the Army in 1958 because of differences with the Eisenhower administration over modernizing the Armed Forces. He was a particularly strong exponent of more aerial mobility for ground troops.

Gavin called the sky cavalry concept, which we are now employing in South Vietnam, and commented:

"When I retired in 1958, I said that I would be happy to serve as a private in the Army if it were the kind of an army that I wanted it to be.

"I think it is that kind of an army now * * *."

INTENTION OF SENATOR JAVITS TO REPORT TO SENATE ON HIS VISIT TO VIETNAM

Mr. JAVITS. Mr. President, I have just returned from Vietnam and intend in due course to report to the Senate thereon. Therefore, I shall not make any statement on that subject on the Senate floor today.

REPEAL OF NONCOMMUNIST AFFIDAVIT REQUIREMENT FROM MEDICARE AMENDMENTS TO SOCIAL SECURITY ACT

Mr. JAVITS. Mr. President, on behalf of myself and my colleague from New York [Mr. KENNEDY], I introduce, for appropriate reference, a bill to provide for the repeal of the non-Communist affidavit required by Public Law 89-97, the so-called medicare amendments to the Social Security Act. I ask unanimous consent that the bill remain at the desk for 1 week for additional cosponsors.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will remain at the desk as requested by the Senator from New York.

The bill (S. 2776) to amend the Social Security Amendments of 1965 so as to eliminate therefrom certain provisions which deny hospital insurance benefits to certain individuals otherwise eligible therefor because of their membership in certain subversive organizations or their prior conviction of crimes involving subversive activities, introduced by Mr. JAVITS (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Finance.

Mr. JAVITS. Mr. President, the distinguished minority leader [Mr. DIRKSEN] was kind enough during my absence in Vietnam to announce at the opening of the Senate last Monday that I would introduce this bill, as I had announced during the adjournment of Congress I would do.

As one of the early sponsors of the legislation to provide medical insurance to older Americans, and as the author of that section of the act which blankets in all citizens who are over 65, whether or not they are social security beneficiaries, I am particularly concerned that the new law contains a provision disqualifying additional participants from medical benefits if they have belonged to certain organizations. It will be remembered that many of us on the Republican side of the aisle, including the Senator from California [Mr. KUCHEL], the Senator from Maine [Mrs. SMITH], the Senator from New Jersey [Mr. CASE], the former Senator from New York, Mr. Keating, the Senator from Kentucky [Mr. COOPER], and the Senator from Vermont [Mr. AIKEN], spoke emphatically in favor of the whole program for medical care.

Thus, I am particularly concerned that the very persons whom we worked so hard to include will be disqualified unless the requirement for this particular kind of affidavit shall be removed. The section objected to—and quite properly so—does not affect 17 million Americans covered by social security, but only the 2 million who are not otherwise beneficiaries of the system.

Mr. President, I know a good deal about this subject; that is why I am introducing the bill and making a statement today. At the time the original medicare proposals were drafted—and I was one of the draftsmen—this kind of disqualification was contained in other Federal statutes—specifically, the National Defense Education Act and the National Science Foundation Act—and was apparently included in the medical care bill solely as "boiler plate" language in the course of its drafting. It was not discussed on the floor of the Senate; it was not discussed in committee.

Recent changes in both National Defense Education Act and the National Science Foundation Act, however, clearly indicate that congressional sentiment is against such oaths.

It is my personal belief that Congress did not intend, in passing the medicare bill, to incorporate such a provision in the language of the bill.

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

Mr. JAVITS. I yield.

Mr. MORSE. Do I correctly understand that the Senator from New York is offering an amendment to the act that seeks to——

Mr. JAVITS. To excise that language.

Mr. MORSE. Will the Senator from New York honor me by permitting me to be joined as a cosponsor of his proposal?

Mr. JAVITS. I would be honored.

Mr. President, I ask unanimous consent that the name of the distinguished senior Senator from Oregon [Mr. MORSE] be added as a cosponsor of the bill.

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

Mr. MORSE. The Senator from New York is quite correct. We were not aware that that language would be a part of the bill. After all, we probably should have had knowledge, but we did not have knowledge of it because most of us were busy with other matters. Its inclusion in the Act came as a complete surprise to me to understand that, in fact, it had found its way into the bill at a level other than the floor of the Senate.

Mr. JAVITS. I may tell the Senator from Oregon that I, as one of the bill's draftsmen, the Senator from New Mexico [Mr. ANDERSON], and other Senators who participated were as much surprised. The bill was long and complicated. I thought I had read every word of it, but apparently I had not, and the language crept in because other Acts were being used as models. The language should be excised as quickly as possible, because Americans over 65 should not be denied the medical benefits available under the act because of past associations. Nor should the 2 million Americans affected by this provision be subject to a loyalty oath to establish eligibility.

As I pointed out during the debate on the National Defense Education Act amendment, no farmer is asked to sign a loyalty oath to obtain a crop subsidy; no small businessman is asked to sign a loyalty cath when he seeks financial help from the Government; and the officers of no shipline are asked to sign such an oath when they seek a ship subsidy.

I urge other Senators to join me in cosponsorship so that this last vestige of the demeaning test oath will be removed from our statute books.

I am grateful to my colleague from Oregon [Mr. MORSE] who honors me and this endeavor by joining me as a cosponsor.

REPEAL OF SECTION 14(b) OF THE TAFT-HARTLEY ACT

The PRESIDING OFFICER (Mr. MONTOYA in the chair). The Senator from Michigan is recognized.

Mr. HART. Mr. President, confronting the Senate in a few weeks will be a question of the repeal of section 14(b) of the Taft-Hartley Act.

I know that before that question comes to the floor there will be much discussion of it. There has been already. As is so often the case when division is deep and feelings are strong, some of the statements are something less than helpful.

I found it very helpful to read an article by Prof. Leroy S. Merrifield in the George Washington University magazine.

Here is an academician of distinction and one who is experienced in labor-management relations speaking his point of view with relation to this question. As is not surprising, since I share his point of view, I think it is an excellent article. I believe that even those who do not see it the way we do will recognize that Professor Merrifield furnishes a balance which is sometimes lacking in our debates. Because it is a matter of concern to all of us, and because I believe the article is very worthwhile, I ask unanimous consent that the article entitled "The Union Shop and the National Labor Policy," written by Prof. Leroy S. Merrifield, and published in the George Washington University magazine in the fall 1965 issue be printed at this point in the RECORD, but that preceding the printing of the article, there be printed in the RECORD a brief biographical sketch of Prof. Leroy S. Merrifield as it appears in this excellent issue of the George Washington University magazine.

There being no objection, the biographical sketch and article were ordered to be printed in the RECORD, as follows:

PROF. LEROY S. MERRIFIELD

Leroy S. Merrifield, professor of law, has made a career of labor law as teacher, author, research scholar, and arbitrator. He holds the bachelor of arts in political science and history and the bachelor of laws from the University of Minnesota and the master of public administration from Harvard. After serving as Navy communications officer in World War II, Professor Merrifield spent a year as an attorney with the Antitrust Division of the Department of Justice. As a specialist on international cartels, he assisted in the famous dyestuffs case and the General Electric light bulb case. Named to the university law faculty in 1947, Professor Merrifield taught and served as acting dean before returning to Harvard for specialized study of labor law and jurisprudence and the completion of his doctoral degree. Later he was

granted a Fulbright fellowship and studied at the University of Sydney in Australia, that country's unique system of settling labor disputes by compulsory arbitration. In 1963 he was named Ford Foundation fellow for studies in Switzerland and Belgium of the labor laws of the European Common Market and the work of the International Labor Office. He has served as impartial referee for the National Railroad Adjustment Board and is a member of the labor arbitration panel of the American Arbitration Association. He has acted as consultant to various Government agencies on labor relations law problems. His 1960 casebook, with Prof. Russell Smith of the University of Michigan, is a standard text in the labor law field, and a new edition is now being prepared. Professor Merrifield is a member of Phi Beta Kappa as well as Phi Delta Phi, professional legal fraternity, and the American Society of International Law. He has been president of the University Chapter of Order of the Coif, whose members are law graduates standing in the high 10 percent of their classes.

THE UNION SHOP AND THE NATIONAL LABOR POLICY

(by Leroy S. Merrifield)

The bill to repeal section 14(b) of the Taft-Hartley Act, which permits individual States to prohibit the union shop, has been blocked in the 1965 session of Congress. Although it passed the House of Representatives and appeared to have the support of a majority in the Senate, a successful filibuster by a coalition of Republicans and Southern Democrats, organized and led by Senator DIRKSEN, prevented the Senate from taking it up. The two-thirds majority needed to invoke cloture could not be found. Since the bill may be considered earlier in the 1966 session of Congress, when the Senators are not so anxious to go home, some discussion of the background of the issue may be useful.

EARLY BACKGROUND

The effort of organized workmen to achieve 100 percent membership by concerted action goes back to early days of American history; in fact, the first reported labor law case involved this issue. A group of shoemakers in Philadelphia refused to work for any master who employed a nonmember at a wage below the rate agreed upon by the members of the association. The court found this conduct to be a criminal conspiracy.

Later in the 19th century, the doctrine of criminal conspiracy fell into disuse and was succeeded by tort actions, usually for an injunction, which turned on the court's judgment as to the propriety of the union's means and objectives. There was considerable variation among the State judges as to whether an agreement with the employer to hire only union men was a proper or a wrongful objective. The tendency, before the advent of legislation, was in the direction of approval; and the experts of the American Law Institute, in restating the common law of the States in the mid-1930's, concluded: "restriction of employment by an employer throughout his business, or on specified jobs within it, to workers who are members of a labor union, or of a particular labor union, is a proper object of concerted action by his employees."

As a practical matter, however, strong campaigns by employers in the 1920's were rather successful in preserving the open shop, which was explained as follows by Finley Peter Dunn's famous character, Mr. Dooley, in the Literary Digest of 1920:

"Really, I'm surprized at yer ignorance, Hinnissey. What is the open shop? Sure, 'tis where they kape the doors open to accommodate th' constant stream av min coming' in t' take jobs cheaper than th' min what has the jobs. Tis like this, Hinnissey: Suppose wan av these freeborn citizens is workin' in an open shop f'r th' princely wage av wan large iron dollar a day av tin hour. Along comes anither son-av-gun and he sez t' th' boss, "Oi think Oi could handle th' job nicely f'r ninety cints." "Sure," sez th' boss, and th' wan dollar man gets out into th' crool woruld t' exercise hiz inalienable roights as a freeborn American citizen an' scab on some other poor devil. An' so it goes on, Hinnissey."

During the great depression, the National Industrial Recovery Act provided for codes of fair competition which contained the famous section 7a declaring that workers had the right to organize and bargain collectively through representatives of their own choosing. There was some doubt whether this right to have a representative of their own choosing would be violated by union shop agreements requiring membership in a particular union as a condition of employment. Before this controversy could be resolved, the NIRA was held unconstitutional and was superseded by the National Labor Relations Act, more commonly known as the Wagner Act.

THE WAGNER ACT

The Wagner Act of 1935, in section 8(3), prohibited an employer from discriminating against employees to encourage or discourage union membership. Because it was feared that this might be interpreted as outlawing union security agreements such as the closed shop and the union shop, the following proviso was added:

"Provided, That nothing in this act * * * or in any other statute of the United States, shall preclude an employer from making an agreement with a labor organization * * * to require as a condition of employment membership therein, if such labor organization is the representative of the employees as provided in section 9(a)."

Opponents of the Wagner bill alleged that this proviso would legalize the closed shop even in States which at that time regarded it as illegal. Senator Wagner declared that this allegation was false—that the only intention of the proviso was to make sure that the new Federal legislation was not interpreted as outlawing such agreements in States which allowed them.

During World War II, the War Labor Board frequently settled labor disputes over union security by ordering the inclusion of "maintenance of membership" clauses in collective agreements, thus overriding any State laws under the war power.

After the war, the Supreme Court, relying on the 1935 legislative statements of Senator Wagner, held that the Wagner Act proviso allowing agreements making union membership a condition of employment did not override more stringent regulation of them by a State. (Wisconsin, in this case, required a two-thirds vote to validate such an agreement.)

THE TAFT-HARTLEY ACT

Meanwhile, in the Taft-Hartley amendments of 1947, Congress outlawed the closed shop (an agreement that a person must be a union member to obtain a job) on grounds that it was subject to abuse in choking off free entry into employment. Congress retained the proviso allowing the union shop (an agreement that an employee must join the union within 30 days to retain his job), but added two safeguards against abuse: (1) union membership must be available on the same terms and conditions generally applicable to other members and the initiation fees must not be excessive or discriminatory, and (2) no employee may be fired under a union shop for any reason other than the failure to tender the periodic dues and initiation fees uniformly required. Thus Congress recognized the legitimacy of collective bargaining agreements requiring potential free riders to pay their way, but Congress prohibited the discharge of an employee for not joining the union, as long as he tendered his dues or equivalent support money.

In addition, the 80th Congress in the 1947 Taft-Hartley amendments provided that no union shop agreement could be put into effect unless a majority of the eligible employees voted in an NLRB secret ballot election to authorize the union to negotiate such a contract. However, experience during the next 4 years resulted in 97 percent of the elections going in favor of authorizing a union shop, and this requirement was repealed by the Taft-Humphrey bill in 1951. The law still provides for an NLRB deauthorization election upon petition of 30 percent of the employees, but such petitions are seldom filed.

Thus it appears that Congress in 1947, under the leadership of Senator Taft, legislated a carefully worked out accommodation of the interests involved in the union shop controversy. The reasonableness of the unions' free-rider argument was given recognition, but Congress provided safeguards so that union membership could not be made a condition of obtaining a job, and the individual worker who incurred the union's wrath could not be fired for any reason other than nonpayment of dues.

However, the 1947 amendments also included section 14(b), saying that nothing in the Federal law should authorize union shop agreements in a State which prohibits them.

COMMENT

It is understandable how Senator Wagner would make the concession he did in 1935. His main problem was to get a bill enacted which would provide basic protection for the right to organize, free of employer interference, restraint, coercion, and discrimination, in the face of the prevailing climate of Supreme Court opinion at the time that the Federal constitutional power under the commerce clause did not extend to the regulation of labor relations in industry.

But a lot of water has gone over the dam since 1935; the power of the Federal Government to regulate labor relations under the commerce clause has become firmly established, and the Supreme Court has gone very far in the development of the doctrine of Federal preemption. Section 14(b) stands today as an anomaly. In all other areas of national labor policy, where Congress has thoroughly legislated a Federal rule and given jurisdiction to the NLRB to carry out the congressional mandate, State law has been superseded. Congress is regarded as having occupied the field, and conflicting State laws have been invalidated by the Supreme Court. For example, where Congress has legislated in great detail on organizational picketing and secondary boycotts, the NLRB has exclusive jurisdiction and the States are ousted from jurisdiction in the interest of a uniform application of the national labor policy. Section 14(b) is the only exception, and even here, the Supreme Court has held that State power under antiunion shop laws come into effect only upon the signing of a union shop agreement. The regulation of strikes and picketing to obtain a union shop agreement is still subject to the exclusive jurisdiction of the NLRB. This awkward division of jurisdiction would be eliminated if section 14(b) were repealed.

Senator Taft's Senate bill in 1947 did not contain a section 14(b); the Hartley House bill did; and Senator Taft went along with it, believing that it merely declared the preexisting law under the Wagner Act. It has been argued that Senator Taft was under the impression that section 14(b) would only apply to State regulation of intrastate commerce and would not override the Federal rule in interstate commerce. In opposing the Ball-Byrd amendment to the Senate bill, he said, "We considered the arguments very carefully in the committee and I myself came to the conclusion that since there had been

for such a long time so many union shops in the United States, since in many trades it was entirely customary and worked satisfactorily, I at least was unwilling to go to the extent of abolishing the possibility of a union shop contract * * *. So I think it would be a mistake to go to the extreme of absolutely outlawing a contract which provides for a union shop, requiring all employees to join the union, if that arrangement meets with the approval of the employer and meets with the approval of a majority of the employees, and is embodied in a written contract."

Senators MORSE, PEPPER, and Barkley strongly opposed section 14(b). Senator Barkley said, "I object to this measure because it does what we have seldom, if ever, done before: it leaves to the determination of the local authorities in a State the question whether a Federal law shall be in effect in that State * * *. We might just as well pass an act of Congress against counterfeiting the currency of the United States, but in it provide that if any State legislature authorizes counterfeiting, then the Federal law shall be null and void in that State."

A distinguished independent study group on "The Public Interest in National Labor Policy" sponsored by the Committee for Economic Development (CED) and including such labor relations experts as Clark Kerr, John Dunlop, and George Taylor, concluded in 1961: "We believe that management and labor should have the right to bargain over and negotiate for a union shop. Because our national labor policy is predicated on the trade union as the exclusive representative of all the members of the bargaining unit and because we feel that the participation of all the members of the bargaining unit would improve the quality of such representation, we urge the elimination of the right of States to go beyond the restrictions contained in the Federal law."

Section 14(b) was a political compromise hammered out in a conference committee; its roots go back to a day in which Federal power to regulate labor relations under the commerce clause had not yet been recognized by the Supreme Court. Today it stands as an isolated exception to the rule that Federal labor law is supreme over conflicting State laws. As Prof. Michael Sovern, of Columbia University, has said: "Permitting the States to enact right-to-work legislation is fundamentally anomalous; it subverts the Federal policy favoring uniform regulation of labor-management relations; and it could seriously weaken collective bargaining, an institution that the Congress has repeatedly undertaken to foster."

CONCLUSION

In this day and age, when so much business cuts across State lines, it is undesirable to have the law on such an important part of labor law vary from State to State, especially when Congress has "taken hold" of the subject matter and legislated a carefully reasoned out body of law, giving recognition to the need to balance and accommodate the conflicting interests involved. If that accommodation does not work well, Congress should itself make the needed adjustments within the rational scheme of the national labor policy. Congress has already taken the proper action in the 1951 amendments to the Railway Labor Act governing the railroad and airline industries, where the union shop, with safeguards against abuse, is allowed, "notwithstanding any other law of any State." If a uniform Federal rule is sound policy in these industries, it is also sound policy in other industries affecting interstate commerce.

There will be problems of adjustment, such as what to do about religious conscientious objectors and what to do about relieving political dissenters from the use of part of their dues money for political purposes not germane to collective bargaining. If experience shows that individual workers' interests are not being adequately safeguarded under union shop agreements, Congress should take the responsibility of reform. If further regulation or prohibition of the union shop is needed, it is needed nationally—not just in the largely regional groupings of States with antiunion shop laws.

ANNUAL REPORT OF THE NATIONAL COMMITTEE FOR AN EFFECTIVE CONGRESS

Mr. McCARTHY. Mr. President, on December 28 the National Committee for an Effective Congress issued its annual report on domestic and international issues and problems.

The National Committee for an Effective Congress is a bipartisan organization. Among the members of the NCEC are: Sidney H. Scheuer, chairman of the executive committee; George R. Donahue, vice chairman; Susan M. Lee, secretary; Charles Rose, treasurer; Hannah Arendt; George Backer, George Biddle; George Combs; Stephen R. Currier; Tom Fizdale; Alan Green; Alvin H. Hansen; Mark De Wolfe Howe; S. Jay Levy; Isidore Lipschutz; Marshall MacDuffie; Archibald MacLeish; Hans J. Morgenthau; John Nuveen; George E. Outland; Duncan Phillips; James A. Pike; George D. Pratt, Jr.; Robert W. Ruhl; Thibaut de Saint Phalle; Francis B. Sayre, Jr.; David E. Scoll; Edward S. Skillin; Michael Straight; Telford Taylor and Gerhard P. Van Arkel. The chairman of the board of advisers is Maurice Rosenblatt and its executive director is George E. Agree.

I ask unanimous consent that the thoughtful and provocative statement of the committee be printed at this point in the RECORD.

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

STATEMENT OF NATIONAL COMMITTEE FOR AN EFFECTIVE CONGRESS

I. WORLD NEED FOR PRODUCTIVITY GIVES NEW DIMENSION FOR AMERICAN STRENGTH

As costly, intensive, and bloody as the Vietnam war could yet become, it is merely a ripple on the tidal wave of change sweeping the world. The real issues will not be settled there—and both sides know it. They are fighting merely for leverage in more decisive arenas and toward more fundamental objectives.

It has become fashionable to assert that American power and influence are declining relative to the rest of the world. But there is little justification for bearish opinion about our future role in world affairs.

Fundamental trends will greatly increase our influence during the next decade:

The overriding factor in world politics today is the growing gap between population and productivity. The 3 billion people in the world will be 6 billion in 35 years. World ability to produce food and other material necessities is failing to keep pace, and threatens to fall further and further behind. Worst of all, the greatest increases in population are occurring in those underdeveloped areas in Africa, Asia, and Latin America which are least able to raise their own productivity—and which, not incidentally, are considered to be the battleground for the political future of mankind.

The overriding factor in America's relationship to this world is our own enormous and quite unmatched productivity. Our gross national product, having almost tripled since 1950, is in the neighborhood of $673 billion this year and promises to exceed $710 billion in 1966.

Whether we are wise or foolish, whether our motives are noble or mean, our relationship to a hungry world inevitably will revolve around these two factors—our productivity and the world's need.

As the dependence of the underdeveloped areas upon our productivity increases, our influence over the decisions that will determine the course of their future development will also increase—whether we want it to or not. It is essential that we prepare to use that influence to help people in these areas learn the techniques and acquire the tools to provide for themselves in the long run. Their very dependence upon us may be the best impetus to that learning.

Given the unparalleled heights of our productivity, it is fair to assume that we must be doing something right.

We must not be shy about communicating the things we have learned during the past few hundred years of Western history. Other people may not want to be like us in their culture, their art, their philosophy, or their values; but it is beyond doubt that they do want and need to be like us in their command of modern technology and in their ability to produce the necessities, and even the amenities, of modern life. It will not be presumptuous or overbearing of us to insist, as we must if we are to help them achieve this objective, that it can be achieved only under conditions of widespread literacy, freedom of expression and political action, and a system of work and production incentives that reward initiative and enterprise.

The hard realities of the need for production—and especially food production—are everywhere and increasingly evident.

The Russians—their fantasy of overtaking America gone glimmering—are being forced out of international competition to a significant degree. They paid the economic cost of inefficient agriculture in order to maintain authoritarian political control over Russian farmers. Now this is becoming a political cost as well. A country which still has 40 percent of its work force on some of the most extensive and richest farmland in the world is reduced to the status of a chronic food importer. Their example has no enticement for nations needing to increase their own food production. To import food the Russians are compelled to spend hard currency that they would rather use for industrial and military development. Their agricultural incapacity deprives them of significant leverage over governments whose survival may depend upon delivery from abroad of millions of tons of wheat per annum.

In the underdeveloped world, two wars have been stopped in recent months—in Yemen and the India-Pakistan conflict—largely in consideration of the need for Western economic aid. This inhibition on military adventure can become one of America's most effective deterrents in a hungry world.

Even Red China will soon have to face the fundamental fallacy in its world strategy as articulated by Marshal Lin. The fond dream of an underdeveloped world countryside throttling the cities of Western Europe and North America is just that. The United States is no Shanghai, Europe no Nanking, to be starved out by Mao Tse-tung. These cities feed the marshal's countryside, not the other way around—and the country folk know it. This is why the Maoist revolution has slight political or economic muscle and must confine its expression to military means—and that only in an area so marginal that it was hoped we would not respond.

This picture confronts President Johnson at the same time that he must find a way to articulate to the American people the purposes for which we have been fighting in Vietnam. America must state its purpose in

southeast Asia and the world in terms large enough to warrant the heart-breaking sacrifices the Vietnam war will entail if it continues. Holding the line against Ho Chi Minh or Mao Tse-tung can only be justified to the extent that we mean to do something worthwhile behind that line.

Of critical, and perhaps decisive, importance in this regard is the need to mobilize American agricultural production to meet the world food shortage. Until recently, our food-for-peace program was essentially a device for disposing of unwanted American surpluses without disturbing world markets. Now the surpluses are almost gone, and the demands are enormously greater. (India, which took 3 million tons of wheat in 1962 and 6 million tons last year, needs 14 million tons in 1966.) The situation has been under top level review by State Department, AID, and Agriculture Department officials, and there are strong pressures for the food-for-peace program to be revamped and greatly enlarged along lines urged by its former director, Senator GEORGE MCGOVERN, of South Dakota.

Among the steps advocated in this program are a gradual reduction in acreage and production controls and a deliberate stimulation of surpluses which the Federal Government would buy for distribution overseas. It is not lost on political observers, and possibly not on President Johnson either, that such a program for increased agricultural production would be of greatest benefit to precisely those rural areas which tend to be most isolationist and most likely to react adversely to the fact of fighting overseas.

In the long run, the underdeveloped countries will have to raise their own food production. An important component of any American program must be to help them acquire the necessary technological and economic base. This means fertilizer and insecticide production, credit and marketing systems, and—above all—literacy. Farmers need to know how to read a seed catalog and the directions on the fertilizer bag, and heavy attention to education must be an indispensable part of an effective American aid program. Administration planners have been projecting major programs, but how heavy an investment is made in education overseas and how soon it is made will depend on the duration of the war.

II. VIETNAM RECASTS ADMINISTRATION PROGRAM AND DOMESTIC POLITICS

Will 1966 see the launching of the Great Society around the world, or will world troubles sink the Great Society at home? The Members of Congress and heads of the administrative departments are forced to make their plans for next year on the assumption of continuing war.

If the war should end quickly, an across the board reorientation will be necessary. Peace would bring a revival of emphasis on the Great Society programs now being curtailed or abandoned. A decline in military emphasis would also mean more vigorous application of present plans for international development aid—perhaps under the slogan, "A Great Society for the World." On the other hand, a succession of maneuvers which raise peace hopes without success would compound the President's difficulties at home and abroad.

But, as long as Americans are fighting and dying overseas, public attention inevitably focuses on Vietnam—and with it the center of political gravity. Administration supporters in and out of Congress are concerned that many of the fresh starts and bright hopes of the Great Society may be casualties in the Vietnam struggle. If the war escalates, the fate of the Great Society and its congressional supporters will be determined by the balance between public distress over the fact of the war and public conviction that the war is necessary.

As the President repositions himself to face the world and its troubles, he cannot turn his back on the foundations he has laid for the Great Society. It is more than ever apparent that domestic and foreign policy are parts of a single fabric, and one cannot be frayed without the other coming apart.

Vietnam is costing American lives, and this fact will reach almost every phase of our public policy as long as it continues. Political leaders are already subjected to multiplying pressures as the impact of war in Asia produces difficult and widely ramified effects on Main Street. Vietnam is the focus from which almost all other concerns radiate, and about which they orbit.

The budget is being reshaped, priorities reshuffled. Congressional campaigns are groping for new themes, as even psychological factors become politically important. The dominant mood of confidence has given way to malaise, and the Democratic majority has been uneasy.

An early peace would be taken as a vindication of President Johnson's leadership and would bring credit and euphoria to the Democrats.

How big the pie and how to slice it

Critical to the success of what Johnson must try to do at home and abroad is the capacity of our economy to bear the double burden of guns and butter. Already scraping the bottom of the manpower and equipment barrel, the Johnson boom must now provide an intensive military buildup. The question boils down to a race between our growing productive capacity and our increasing needs.

Voluntary maintenance of wage and price levels, and sales from stockpiles of aluminum, copper, and wheat have held the economic line thus far. But there are doubts as to whether persuasion and manipulation will be enough in the event of real shortages or a need for production priorities to insure strategic materials for the expanded military effort. Whether the economy will overheat and require more drastic management is doubted by most, but some businessmen feel the administration has already taken the first steps toward wartime production and price controls.

A yearly increase of 3 percent in our standard of living can be cut in half next year to pay for the war without anyone feeling deprived of anything. But economists believe that administration budget specialists must accomplish this trick without accelerating the rise in the supply of money and credit, which would tip the present delicate balance into an inflationary spiral. This money problem stems from the fact that an additional $10 billion is estimated for the military effort. This could go higher by the last quarter of 1966, as the Vietnam war has proved to be one of the most expensive in history, per bomb dropped and soldier deployed.

Where will the money come from? Eight to ten billion dollars additional in Federal revenues are anticipated as an automatic result of the growth in national income. Other billions will result from the excess of increased social security payments over decreased excise taxes. The total could be enough to finance the war, but not if the Great Society programs enacted last year are to be budgeted on the originally expected scale.

Some conservatives are predicting that a tax rise will be necessary by spring. But the predominant view is that the President will be able to cut back existing and projected expenditures by an amount sufficient to tide him over. Mr. McNamara's announced plans to eliminate 800 military bases is a first step in this direction. The word is out that cutback is the order of the day. HEW, Commerce, and other departments are rife with rumors of preliminary drafts of new proposals, as thick as telephone books a few weeks ago, now pared down to a few sheets. Few Presidents have had more knowledge than Mr. Johnson of where to find the fat in the governmental corpus when a reducing program is necessary.

Easing the administration's problems is the fact that manpower requirements of industry and the military are reducing the need for many of the projected poverty and rehabilitation programs. There is no reason to make jobs for people who already have them, and training programs to upgrade skills are being undertaken increasingly by private industry itself, since it has hired the unskilled and semiskilled workers and wants to get the most out of them.

However he may succeed in limiting expenditures for the Great Society, President Johnson is likely to find that Congress will limit them even further. The "funding of the Great Society" was scheduled to be one of the key issues in the pending session anyhow. Escalation in Vietnam would place a new and sharper knife in the hand of the economy bloc.

Congress and the elections

The Johnson leadership drove the first session of the 89th Congress at a sprinter's pace for a marathon 10 months. This may have been done simply to get while the getting was good, to make possible a short session in the 1966 election year, or "so I could give more time to foreign problems"—as the President recently said. It may have been all three. Whether due to luck or design, he now is free to address world problems. He will need every bit of this political elbow room.

In addition to bringing the war to an early and acceptable conclusion, the President must see to the reelection of as many as possible of the new Democratic Congressmen garnered in the Goldwater windfall. The Senate poses no problem. It would take three successive landslides for the Republicans to regain control of the upper body. But the House represents a real danger to whatever future Mr. Johnson has in mind.

Even during the spectacular first session, the major elements of Mr. Johnson's program were carried only by an average 235 to 200 vote in the House. This majority was composed of 213 Democrats who supported the President at least 70 percent of the time and 22 Republicans who supported him at least 55 percent of the time. A shift of a mere 18 votes—just half of the Democrats' net gain in 1964—would have meant the failure of much of the program.

Even more important, a shift of only 11 votes (among Republicans alone) would have meant the failure of the rules changes which made it possible to bring the program to the floor. Thus, conceivably, a loss of only 11 seats in 1966 could restore the old pattern of domination by the conservative coalition when the rules changes come up for review in January 1967. The normal off year rebound of the minority party would more than account for these 11 votes.

The Democrats' hopes for holding onto their gains are gravely jeopardized by the Vietnam war. The war has effects on two levels—the legislative and the political. In the legislative arena there is the impact on what remains of the Great Society's domestic legislative program. Those things costing money will either not be offered or will suffer rough going in a Congress looking for excuses to assert some independence of a President who is beleaguered overseas. But the developing cost of living issue (the index rose from 103 to over 110 in the last 5 years) may encourage introduction and assure passage of so-called consumer bills such as those for truth in packaging, truth in lending, and tighter regulation of medicinal drugs. These programs do not cost money.

The political arena may prove much more important than the legislative. Republican

challengers may not be able to score many debating points about Vietnam, but Democrats who must face the voters next fall are on the defensive and fervently hoping that the fighting ends before November. The war is not a political issue yet, according to most reports from Congressmen now touching their home bases. The great majority of voters appear to be supporting the President. But the people are nervous, and it is thought that deep misgivings could spread rapidly if the war takes a bad, unexpected turn. "Right now there are no votes in it," said one. "It has not yet crystallized into blame."

Another Democrat reports that at the beginning of the escalation he heard mostly from angry left-wing opponents of the war, and soon thereafter from right-wing advocates of all-out bombing. Now he is hearing from more moderate citizens who do not advocate anything, but ask serious questions he finds difficult to answer.

But even this uncrystallized condition hurts the Democrats. Partly it is the automatic disruption caused by any new issue injected into a painstakingly balanced "consensus." Special attention is always directed to the newest and most controversial factor. When that factor is as serious as war, it overreaches and overshadows all others.

Even if the 1966 campaign should be relatively free of the angry charges and bitter recriminations of the Korean period, voters may very quietly take out their frustration on the Democrats. As one Congressman put it, "They will be angry and wanting to throw a rock at someone. Mao and Ho won't be on the ballot. Neither will Johnson. So they'll throw the rock at me."

There will be other reflections of what one candidate described as a mood of "part of the way with L.B.J." According to a Democratic freshman, constituents say, "You're a good Congressman and I like you. I voted for you last time. But I believe in the two-party system, so I will probably vote for a Republican next year." Against this cry of "one-party monopoly" there is no direct rebuttal. Each of the 61 freshmen Democrats will have to depend upon his own popularity and personal distinction to provide special arguments for his reelection.

Return of psychopolitics—A potential danger

The specter of Korea looms over all speculation as to the political effects of the Vietnam war. Both Democratic and Republican thinking about the 1966 election tends automatically to assume a repetition of some of the phenomena of 1950 and 1952.

The big question is whether and to what degree the repetition will include the radical right psychopolitics of the McCarthy period. If more men die and others are taken from schools, jobs, and families, emotion will charge the political atmosphere. It will replace reason, and even interest, as a basis for political action. The cries of "murderer" and "traitor," already directed at President Johnson from extreme left and right, evoke vivid and foreboding memories of McCarthyism. The concern now felt in political circles is not so much over the all-out or pull-out extremists themselves, as over the possible effect of wartime anger and frustration upon normally rational voters.

The radicals of the right have potentially more influence that those of the left. They are better organized and more wholeheartedly reject the Johnson administration and all its works. In addition, no matter how the war may escalate, their shout for more will find easier echo from an angry public than any appeal for something that looks like surrender.

Though the peace movement will be running its own candidates for Congress wherever possible, the get-tougher disciples of Barry Goldwater have a much more potent political base in the candidacies of Senators like STROM THURMOND, JOHN TOWER, MILWARD SIMPSON, and CARL CURTIS, as well as dozens of Representatives.

Nevertheless, the climate will be very different than that of the Korean war. At that time, the wrenching reorientation from wartime friendship with Russia to postwar enmity, the reverberations of the Hiss case and the Wallace candidacy, the antics of Joe McCarthy, Bill Jenner, and other extremist members of the Senate class of 1946, and the wideranging influence of the China lobby, all combined to instill widespread doubt as to the motives and security of our own leadership. This doubt was heightened by Gen. Douglas MacArthur's deliberate public revelation of his disagreement with the President on the conduct of the war.

Few of these factors seem likely to be present in 1966. None but the Birchers, and perhaps not all of them, believe that Lyndon Johnson is either a traitor or a tool of traitors. The Red scare as it applies to government is dead; and even rightwing revulsion at bearded peace marchers is not likely to revive it. There is as yet no sign of an active military leader likely to take public issue with the President on combat strategy. Richard Nixon, Barry Goldwater, and Ronald Reagan, however slashing they may be, are not as frenzied as Joe McCarthy and Bill Jenner. The China lobby is today reduced to a rearguard operation to maintain Taiwan's position in the U.N. Senate Minority Leader EVERETT DIRKSEN will not hit too hard at President Johnson; and House Minority Leader GERALD FORD will try to keep his rightwing responsible.

In sum, not only is there a difference between Korea and Vietnam; there is a difference between the America of 1950 and of today. The American political system had a recent inoculation of McCarthyism and does not seem likely to come down with a serious case of the disease this soon.

Constructive republicanism threatened

Chairman Ray Bliss' prescription for the Republican Party is a slow knitting together of the wounded members. Professional care is the watchword. And Mr. Bliss has been reasonably successful in suppressing at least the surface symptoms of ideological infection.

Now the possibility of a war-dominated political year threatens to send party temperatures rising, and to give some members the fits again. Moderates and responsible conservatives are voicing urgent concern over the possibility of the Goldwaterites gaining new strength from Vietnam and taking the party back down the 1964 road. They report strenuous argument, as yet behind closed doors, for all-out exploitation of the war issue.

This development comes at a time when some sections of the party were orienting successfully to the effects of urbanization and redistricting. At issue is whether the party will be misled down a bypath which cannot extend forever, and conceivably could come to abrupt termination even before the next election—or whether the party will continue its painful adjustment to fundamental 20th century realties.

The war-stimulated rightwing is bound to have some influence. But officeholding moderates are proportionately more numerous than at any other time in the past two decades, especially in the Senate and statehouses—thanks to the 1964 decimation of Goldwaterites. The individual campaigns of incumbents like CALEB BOGGS, CLIFFORD CASE, JOHN SHERMAN COOPER, and GEORGE ROMNEY, and challengers like Charles Percy, will exert a steadying influence.

The biggest tangible stakes within the party are the congressional nominations in the windfall districts marginally won by Democrats last year. Most of these were previously held by Goldwaterites. Some will be regained by Republicans next fall. Party leaders in many of these districts learned the lesson of 1964 and have been shopping around for more presentable political images.

The prospect has been for an increased number of moderate Republicans running for Congress and other offices. The party has achieved some success in groping for a viable and responsible alternative to the Johnsonian consensus. There could be a shift in the balance of power among Republicans in the House that would bring it more into line with the relatively moderate image of Republican Senators and Governors. But the war might reverse this trend, and the search for a Republican identity could be another Vietnam casualty.

The movement moves from street to booth

In 1966, the self-styled peace movement will make a maximum electoral effort if the war continues. Their premise is that only they want peace. Their objective, which they will fall far short of reaching, will be to match the proportions of the Henry Wallace campaign for President in 1948.

After years of dormancy, the movement ran a few of its own candidates for Congress in 1962, and supported some others. But its line was undercut by the Cuban missile crisis on the eve of the election, and its showing was dismal. In 1964, with its adherents passionately anti-Goldwater and supporting Johnson, the "movement" did not emerge as a separate force.

Now, with Johnson having gone the road of escalation in the Vietnam war, conditions exist for an intensive and highly emotional separatist campaign. Based on already indicated attitudes, some dozen or 15 House Democrats are likely to encourage and receive ardent peace movement support. Third party candidacies will be mounted in other districts—perhaps to make a total of 25 or 30 in all.

It is difficult to project the effect of these candidacies. On one hand, House Democratic strategists are worried that in marginal districts a drain of even 3 or 4 percent of the vote away from incumbent Democrats would throw those districts to the Republicans. On the other, the opposition of the peace movement could well strengthen some Democrats in their appeal to the undecided middle voter—just as Henry Wallace strengthened President Truman.

More dangerous from the Democratic point of view is the prospect of another form of separatism—independent candidacies mounted by the left wing of the civil rights movement. This threat has already been articulated in Chicago and some other areas. It reflects a deep split in the civil rights movement between those who are trying to proceed toward attainable goals and those whose anger at American society verges almost on rejecting it altogether.

The split over how to handle the effort to seat representatives of the Mississippi Freedom Democratic Party in Congress, and more recently the lack of communication evident in the White House Conference on Civil Rights, indicate the dimensions this movement may reach. It is far more worrisome to the Democrats than the peace movement. For, its potential goes beyond a mere 3 or 4 percent to a possibility of 20, 30, and even 40 percent in certain urban districts.

It is almost inevitable that the peace movement will support such civil rights separatists with both money and effort, thus magnifying the image of both. This would be to the ultimate detriment of American Negroes, whose further progress, most observers believe, is dependent upon not allowing their cause to become confused with other issues. And many procivil rights white and Negro Americans who disagree with the peace movement are bound to resent any appearance of civil rights affiliation with it.

III. THE JOHNSON WAY

In building the domestic Great Society, President Johnson was working familiar ground, coping with problems in which he had long congressional experience and where his own zest and enthusiasm were readily communicated to others. His genius has been to satisfy material needs, using the powers of Government to deal directly and practically with the tangible problems confronting citizens in their daily lives.

Now Mr. Johnson must find a way to apply these skills to the international arena. And, though many have thought his rhetoric faulty, it may be that a talent for reducing problems to their political components can be more effective than words. Finding fulcrums and applying leverage is probably as central to change in the workaday world of international relations as it is in the management of home affairs.

FLOOD CONTROL PROJECTS PAY OFF

Mr. KUCHEL. Mr. President, on December 12, 1965, in the Long Beach Independent Press-Telegram, which is one of the distinguished California newspapers, an excellent article appears. The article is entitled "Flood Control Projects Pay Off—Record Rains in November but Damage Held Low."

The article describes how, in the area of the State from which I come, the work of a Los Angeles flood control district prevented widespread devastation and damage from the recent torrential downpours in that area of the State. The Government of the United States played its part in those labors.

Mr. President, I ask unanimous consent that the entire text of this 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:

FLOOD CONTROL PROJECTS PAY OFF—RECORD RAINS IN NOVEMBER BUT DAMAGE HELD LOW

(By Bob Sanders)

Last month was the wettest November on record in southern California. December already has a good start toward a record-setting wet month.

In Long Beach 7.69 inches of rainfall fell from three major storms that raged across the area; 9.68 inches fell at the Los Angeles Civic Center, and other measurements varied from 5 inches along some areas of the coast to a whopping 35 inches at Long Beach unified school district's Camp Hi Hill near Mount Wilson.

You don't have to be an old-time resident to remember when a storm of lesser proportions would have caused swirling waters in hundreds of major intersections, cold running water in the front and back yards of thousands of homes and several hundred thousand dollars worth of damage reported.

None of this happened. Sure, there were mudslides in some sections of Los Angeles County and some canyons in both Los Angeles and Orange Counties were declared "peril" and even "disaster" areas.

But it wasn't like the "old days."

Why?

The main reason is the Los Angeles County flood control district, which is celebrating its 50th anniversary this year.

Historians will tell you that periodic floods have been part of the history of southern California since way back in 1815. In fact, since 1862, 23 major storms have produced major flooding in the area, according to the flood control district.

After a major flood in 1914 which caused more than $10 million worth of property damage the Los Angeles Flood Control District was created by the State legislature.

Its purpose was, and still is, twofold: One to control, prevent if possible, floods, and, two, to conserve water.

Almost a billion dollars has been spent since that time from local, State, and Federal funds and the fruit of these expenditures is now beginning to be realized.

The fact that last month's storms caused no more damage than they did is proof.

In the last 5 years more than $30 million has been spent in the Greater Long Beach area alone on flood control and drainage projects.

The area's four major drainage courses, the San Gabriel River, the Los Angeles River, the Dominguez Channel and the Los Cerritos Channel, all have been improved by either the Los Angeles Flood Control District or the U.S. Army Corps of Engineers.

An elaborate network of storm drains has been constructed in the area, with funds provided from bond issues approved in 1952, 1958, and 1964 for a total of $679 million, to drain off potential floodwaters from the streets and other areas into the major channels.

Flood control engineers can see no end to storm drain construction. They say that a 1958 survey showed that if all the storm drains needed at that time were built they would number 2,000 and cost almost a billion dollars.

Of course, all the storm drains in the area would be useless if it weren't for the system of reservoirs, dams, and catch basins that stop the flow of water from the mountains and store it for later use.

From Sepulveda Basin on the northwest to Prado Basin on the southeast, these artificial bodies not only help control floods by stopping the torrential waters but they also hold the fresh rainwater from running off into the sea and being wasted.

In fact, Walter J. Wood, chief engineer for the Los Angeles Flood Control District, estimated that water tables had been replenished during November by about 14,825 acre-feet, representing a dollar value of about $300,000.

This is a sort of bonus for not having a flood.

Of course, all is not as rosy as it sounds. The people who were victims of the slides last month are not happy. But the flood control people hope eventually, in future years, to be able to take care of their problems, too.

Also, it has been pointed out that while last month set a record for rainfall the rain was not of a high intensity. If it had been, it might have been a different story.

However, there are very few people these days who feel that the flood control program, as expensive as it has been and as expensive as it will be in the future, is not worth it.

ACADEMIC INVOLVEMENT IN THE REPUBLICAN PARTY

Mr. KUCHEL. Mr. President, last month on the campus of the University of Southern California, a conference was held on "Academic Involvement in the Republican Party." Participating in that conference was my legislative assistant, Mr. Stephen Horn, who spoke on: "Ideas in Action: The Relations Between the Academic Community and Elected Representatives."

Mr. President, I commend the thoughtful, penetrating comments which my legislative assistant has made to my Republican colleagues. However, beyond that, I commend it to all other Senators, because there is a great and growing need for the academic community to participate with greater vigor and growing strength in the political and governmental affairs of the Nation. There is a need for them to express themselves, I should hope, as members of both our national political parties.

In a portion of his comments, Mr. Horn said, in part:

Too often we have heard that the Republican Party must come up with constructive alternatives. This is not enough. The Republican Party must devise progressive initiatives.

How true that is. Great men in the history of the Republican Party stand out today as beacons for progress in this Nation.

I am one of those who devoutly believe in two great political parties endeavoring to demonstrate to the people their own complete dedication to trying to solve the problems which plague our fellow citizens, great and small.

We need to attract into the Republican Party our full share of the academic and scientific community of this country.

That is in part the theme of this excellent presentation. I ask unanimous consent that the entire text of the presentation be printed at this point in the RECORD.

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

IDEAS IN ACTION: THE RELATIONS BETWEEN THE ACADEMIC COMMUNITY AND ELECTED REPRESENTATIVES

(Remarks by Stephen Horn, legislative assistant to U.S. Senator THOMAS H. KUCHEL before conference on "Academic Involvement in the Republican Party" sponsored by the Arts and Sciences Committee of the Republican State Central Committee, University of Southern California, Los Angeles, Calif., Dec. 4, 1965)

By and large, the American intellectual—as is true of most Americans whether they be politicians, labor leaders, or farmers—has not been ideologically oriented. He has sought, as those in other occupations have sought, to bring to bear on a given problem all relevant facts before reaching his final conclusion. He has sought to solve problems. If he has developed theories to unify our knowledge in a given field, those theories have usually been immersed in reality rather than in pure abstraction. There are some in both the world of the intellect and in the world of politics in both parties who prefer to weave abstractions and discover "theories" of politics and society, such as "conservatism" and "liberalism" which have little grounding in fact and little applicability to our times, if they ever had relevance in any time. We do not address ourselves to this small handful today.

Instead, our concern is with the great number of politicians and intellectuals who need to be brought together in a wedding of fact and ideas if we are to attack, with freshness and with vigor, the problems that abound in our society. If we are to be successful in this endeavor, there is a need for combining the best that can be offered by men of thought and men of action. It is not impossible to serve in both worlds. It is not incompatible. While it might be at times frustrating, it is also necessary and rewarding.

One of the most moving murals I have ever seen was completed in the early thirties by Jose Orozco and is in the Baker Library at Dartmouth College. There, in a powerful panel entitled "Gods of the Modern World,"

Orozco has portrayed, standing in front of a world aflame, six skeletons gowned in the doctoral robes of leading American and European universities. In front of them another robed skeleton receives stillborn knowledge delivered from a skeleton parent who is couched on ponderous tomes. Other, smaller skeletons in academic gown are locked in bottles which are strewn among piles and rows of books. Here, Orozco has registered an eternal protest against dead knowledge and intellectual bondage and called for a new creativity in the use of knowledge.

Henry Adams once gloomily noted that "Practical politics consists in ignoring facts." If that were true in the 19th century, it is seldom true in the 20th. But there are facts and there are facts. Elected officeholders and their staffs are overwhelmed with information—the need is to apply what is meaningful to the task at hand. We need your help. You can help us not only with the "answers" but with the "questions," since knowing the correct question is half the battle if the data is to be brought to bear on the problem at hand.

Yet, what condition largely prevails today?

A longtime and astute observer of Congress, Neil MacNeil, chief congressional correspondent for Time magazine, recently had this to say with reference to my own profession:

"Members of Congress, as a whole, normally do not listen to the political scientists, and the political scientists do not listen to the politicians on Capitol Hill. This has produced the long estrangement between Congress and the intellectual community * * *. The hostility is at every hand, in speeches in the House and Senate, as well as newspaper editorials and the books of political scientists. * * * The Congressman repays the intellectual in kind for his hostility. It's a natural response. If the intellectual regards the word 'politician' as an epithet, the typical Congressman equates the professor with the pedant. If there is justice in both views, at least in some cases, the effect is to impede any real communication between Capitol Hill and the academic world. And this, in turn, has created that dangerous chasm between Congress and the intellectual community. In plain terms, they do not understand each other, and too frequently they do not bother to try to understand each other.

"The loss is the Nation's loss, for Congress needs help in meeting the challenges of today and the promise of America's future. Congress needs the help of the academic world: the imagination, the skill, and the talents of men and women who can help Congress fathom the depths of its institutional needs, and then bring forward viable remedies to meet them."

In 1959, the Brookings Institution sponsored a roundtable conference on Congress in which between 30 and 40 Members of the House of Representatives from both parties participated. Dr. Charles L. Clapp, then of Brookings and now legislative assistant to Senator SALTONSTALL, wrote "The Congressman: His Work as He Sees It" as a result of these meetings. That book has done much to overcome the estrangement Mr. MacNeil notes.

Although some of the panelists said that they had profited from contacts with the academic community, and both parties have called on experts for committee testimony and occasionally made use of them on party policy committees, the consensus of the group was that:

"The influence of the academician on individual Members of Congress both in the formation of decisions and in serving as a source of ideas and advice is generally regarded as negligible, both within the academic community and on Capitol Hill. His role is thought to be greater with committees than with individual legislators and stronger in the Senate than in the House."

No doubt mutual suspicion does exist between some politicians and some members of the academic community. Neither feels that the other understands his problems. But this is not unique and certainly not insurmountable. Individuals in both groups feel that their own colleagues do not understand their problems.

I suspect some in the intellectual community would agree with Robert Louis Stevenson, who said that "Politics is perhaps the only profession for which no preparation is thought necessary." But this is not the case.

Of course, some politicians believe that members of the intellectual community, scientists in particular, have gone beyond legitimate bounds in transferring the prestige of their particular discipline to the conclusions they voice on public policy. These conclusions are frequently on matters of value on which good men can disagree rather than the obvious conclusions of so-called objective scientific facts. In the Senate hearings on the nuclear test ban treaty, equally eminent scientists testified for and against the treaty. Who is the nonscientific legislator to believe? But then the "halo effect" is not new, nor limited, to either members of the academic or political communities.

Some members of the academic community believe—as I suspect from reading the incoming mail do many other constituents—that politicians really are not much better at making judgments on matters of public policy than any citizen who reads the morning newspaper or listens to the evening news on television. That attitude also needs correction.

There is, of course, a difference between a strictly "scientific" judgment and the questions of political and social policy which daily must be decided by an officeholder even on matters of science and technology.

This does not mean that the natural, physical, or social scientist cannot have judgments on matters of public policy just as every citizen in a free society has a right to voice his opinions, but it does mean that both scholar and politician should be aware of the limitations of where objective analysis ends and subjective conclusion begins.

The jargon of modern physical and social science requires as perhaps never before that "scientific" conclusions receive a full airing among professional peers and that many minds compete on the solution to a given problem in free and open debate. Secrecy requirements, which are often too easily imposed, discourage, rather than encourage, this free and open debate.

Certainly an interdisciplinary perspective is helpful as we bring the various fields of knowledge together on a given problem. But let the scholar recall that the politician is an integrator of knowledge and an amalgamator of ideas. In fact, the politician was an "interdisciplinarian" long before the word came into popular and sophisticated usage in the intellectual community.

In a complex and always changing world, the basis a politician uses for his judgment is only as good as the information which he gathers on his own initiative from his staff and those who have something worthwhile to contribute in the field.

Too often have our colleagues in the intellectual community provided panaceas for all the ills of society while failing to analyze with care the malfunctions of its parts which immediately surround them.

Too often, the politician reacts to past events rather than initiates in terms of the present and the future. Too often—and this is a plague which confronts not only public officials but indeed all of organized society—we feel we have accomplished something when we have merely maintained the flow of "busywork" which constantly demands our attention.

Too often, the politician has failed to realize that when the scholar seeks to apply new knowledge to old problems, he is asking that we challenge, encounter, and overcome myth, tradition, and inertia. But the breakthrough must be made and understood if we are to survive.

The private sector of our economy has long realized the need to call for the services of the scholar. So has the executive branch of our Government. While the international businessman or banker might give lipservice at his luncheon club to Adam Smith, in his office he usually bases his operating decisions on economic analysis as expounded by John Maynard Keynes and his successors.

The administrator in the executive branch has at his beck and call devoted and highly trained professionals with appropriate academic credentials who are on his permanent staff, consultants, and ad hoc and permanent advisory committees. For the party in power this apparatus of skilled manpower is an intellectual community in being waiting to be tapped, as well as a potential transmission belt to likeminded colleagues in cities beyond the seat of Government.

What is true in the potential capacity of the Federal executive branch to utilize intellectual resources is true all the way down the line through the myriad levels and layers of governmental jurisdictions. Recently the State of California has sought to apply the techniques of operations research to the social problems of this State. This is long overdue.

But, what of Congress and, in particular, the party out of power for which there is some slight expectation in the civic books and in popular mythology that we are to be, in the first instance, a coequal branch of the Government and, in the second, a party of creative opposition?

Some of us, in both parties, at the staff level are seeking to apply the concepts of operations research to the legislative work of Congress. Unless this is done the Congress will continue to shrink even further in its capacity to pass judgment on executive-sponsored programs and their implementation. Even now, with the exception of the creativity demonstrated in the rewriting of the medicare legislation and in writing of the Voting Rights Act of 1965, Congress power is all too often apparent rather than real, potential rather than actual.

The House Republican Policy Committee and the Democratic Study Group have at times sought to utilize the brainpower of the intellectual community. So have various congressional committees and individual legislators on occasion.

The work of the Joint Economic Committee provides an institutionalized focal point for the legislative branch so that relevant economic information and viewpoints can be brought together. Regrettably, because of the volume of material presented and released by this committee, its publications go largely unread and undigested by most Members of Congress and their staffs. In addition, because of the composition of the committee, the most influential members of the committees in both Houses having jurisdiction over revenue and appropriations as well as such areas of great economic impact as defense and public works are not represented. Thus, the economic ideas and data, though voiced in the Halls of Congress, fail to get into the bloodstream of Congress.

Yet, in the executive branch, economics and science have been institutionalized at the highest level in the Council of Economic Advisers and in the Office of Science and Technology which are part of the Executive Office of the President.

Walter Lippmann was profoundly correct when he noted that the alienation of the intellectual community more than any other event meant the steady decline of the Republican Party. When the Republican Party was

founded it was the party not only of the urban businessman who wanted honest government instead of the corruption of machine politics, the free farmer tilling new lands in the West, the free laborer seeking to earn his living at a trade, but also of the intellectual. For 50 years after its founding the Republican Party offered to the American people such politician-statesman-author combinations as Theodore Roosevelt, Henry Cabot Lodge, and Albert J. Beveridge. In California, Chester Rowell, one of the keenest minds in the history of this State, put together a combination of men of ideas and men of affairs in the Lincoln-Roosevelt Republican League which led, in 1910, to breaking the grip of the Southern Pacific political machine and the installation of progressive ideals in our State government.

These men sought, each in his own way, to meet the problems of his time. If the Republican Party is to survive that is exactly what it must do today. It will only be successful in this effort if first there is a receptiveness by Republican officeholders to welcome and, indeed, to encourage new ideas and then a will to carry them out if they are in the public interest. So, too, there must be an awareness in the intellectual community that America's challenges at home and abroad will only be met if there is a competition of ideas.

Too often we have heard that the Republican Party must come up with constructive alternatives. That is not enough. The Republican Party must devise progressive initiatives. It is not enough to rewrite the manpower training legislation as a group of Republicans did in the House in 1962 to make some sense out of it. It is not enough to rewrite the medicare proposals of the administration as Senator JAVITS and Senator KUCHEL did in 1962 and 1964 to make some sense out of them. Let us through a melding of intellectual and political resources at all levels of government bring the best minds together to work on such problems as international, national, and urban growth. There is a need for give and take and for understanding of the realities of a situation, not so that ideas will be diluted in principle, but rather so they will be implemented in practice.

How can this be done? There is no single way. There are many ways. For those politicians who want to do more than serve as a mere errand boy for their constituents where through the distribution of agricultural yearbooks and the handling of casework they give the illusion of accomplishment, there is a need to ask people to help. A politician asks for money to run a campaign, he asks for votes to win a campaign, can he not ask for ideas?

For those who are asked, let them help if it is for a good cause. Party affiliation should not matter. An opportunity to be heard should be the criterion. Each day many of us on individual and committee staffs consult experts in the intellectual community to secure their advice. But the need is not merely for opinion and snap information. The need is for creative thinking in handling the difficult problems—the problems which are often hard to formulate, but which we feel are there. This is a matter of communication and an understanding of the operational needs of each other.

In some congressional districts, Republican Congressmen have a faculty contact at the local university who attempts to pull his colleagues together to furnish relevant information and ideas. In other cases, it is a matter of consulting recognized experts for a private paper or arranging for them to testify at a hearing on the subject where their knowledge can be shared with those who will make the initial decision as to the success or failure of a particular bill.

For those who are members of the intellectual community, there is a need to sit down with your Representative and seek to know him and the problems which he is facing on your behalf. Establish an interest in his work and he will establish an interest in yours. For if politicians share at least one basic characteristic among themselves, it is that they tend to enjoy talking to a wide range of people. I have often thought that a most useful foundation program which would aid in advancing the state of public affairs in our land would be to finance quiet luncheons where one, or two, or three elected officials could sit down and discuss matters with the visiting academician when he comes to Washington.

For over 5 years, the Republican National Committee has had a functioning Arts and Sciences Division. They have compiled the names of those in the university and college communities who want to help and what type of help they would like to give. There have been some takers, but with the exception of securing help for an occasional speech now and then, or utilizing a few of the many on the list for national party task forces on various public problems, the fact remains that if help is to be secured from a community of scholars, it is the State chairman, the county chairman, and the local elected officeholders who have the proximity to the campus to develop such a worthwhile relationship.

One of the most successful initiatives in bridging the apparent gap between the political world and the world of the intellect has been carried on by Republicans for Progress, a committee set up on a permanent basis following the debacle of 1964. An active research group sponsored by this committee has been working for several months in New York; additional groups are being formed in Washington and St. Louis. They meet regularly. They work individually and in teams. They are independents as well as Republicans. They consist of young men and women who are not only in the universities, but also in the research and operations divisions of major banks, corporations, and labor unions. They seek one thing: an outlet for their ideas in the Republican Party. Their work has been eagerly utilized by numerous Congressmen and Senators. They are helping the Republican Governors, some of the House Republican task forces, some of the task forces set up under the Republican Coordinating Committee, and groups of progressive Congressmen such as those in the Wednesday Club. They contributed to white papers on recreation, crime, transportation, health and other areas which were issued during the recent successful campaign of John V. Lindsay for mayor of New York. These were ideas in action. They have dealt with the balance of payments, with new approaches to Canadian affairs, with new ideas for dealing with the Dominican Republic, and a host of other projects.

Another group which has made an excellent contribution to raising the quality and tone of American political debate is the Ripon Society and similar groups such as the Advance at Yale and the Jonathan Trumbull Society at Columbia. The Ripon group, appropriately named after the birthplace of the Republican Party, is composed primarily of young intellectuals and professionals in the Harvard-MIT complex. Both professors and graduate students have actively participated. They have rendered an outstanding service in issuing papers which needed to be issued and in calling upon Republicans as well as Democrats to face up to some of the overriding problems of our times.

As these examples suggest, the community of the intellect is not limited by the boundaries of the college or university campus. Creative talent knows no boundaries. Another good example of this fact occurred in the Lindsay campaign. Young architects concerned about the demise of New York as a decent place to live flocked to the Lindsay headquarters to volunteer their services. Instead of merely releasing the usual short press release announcing that a Committee of Architects had been formed which endorsed John Lindsay, somebody, using imagination, decided to put this architectural talent to good use. They were sent as teams into various neighborhoods to find out how these areas could be improved. The architects talked to shopkeepers and apartment dwellers, to people in the streets, as well as to the policeman on the beat. They found little things such as traffic patterns which made no sense but had long existed. With a few changes that an architect could visualize, such a pattern could be revised to relieve the frustrations encountered by both motorists and pedestrians. They found unused areas which could be cleaned up and made into parks where Sunday strollers might enjoy the outdoors. When John Lindsay went to these neighborhoods, he mentioned these needs and, as a result of the architects' work, was able to tell the people specifically what he would do. These were ideas in action.

But more is needed than part-time campaign efforts or even semipermanent groups working for different volunteer organizations in the party. The need is also for the Republican Party itself to devote the necessary resources to begin and to revitalize research staffs at the National and State levels which will not merely compile and analyze election statistics and clip the more embarrassing comments of the opposition, but which will truly serve as a focal point for integrating creative thought on issues of importance to the body politic.

So much for some of the possible institutional groupings of intellectuals in politics. What about the individual? How does he go about it? Often, rightly or wrongly, as we have noted, there is a need for overcoming some mutual suspicion between "the pol" and "the thinker." With good will and with a realization that each needs the other, if the public interest is to be advanced, this seeming mutual suspicion can be overcome.

Let the politician ask. Let the intellectual not wait, but volunteer. Perhaps at first neither will know what to do with each other. But slowly, as an understanding is increased of the perspective and vitality which each can bring to the political process, the value of the interchange, provided that there is mutual give-and-take, will become obvious. Conceivably having tasted political fire, the intellectual might even desire to be a candidate for office himself. This is all to the good.

Such action can begin at home. In meeting urban problems and offering attractive candidates who know how to solve these problems at the local level, the Republican Party has an untold opportunity as we attempt to give responsible, progressive government to our cities which have wallowed so long in apathy and machine politics.

Our Nation teems with problems. Let us note a few.

How do we build an effective world community where diversity of political institutions and culture can be maintained considering the more than 125 nation-states now in existence and the tribes and ethnic groupings too numerous to count?

How do we use American technology to back a world view for freedom? It is now possible, with satellites, to have a worldwide television system. Think what this would mean in removing the blight of illiteracy, in educating people of diverse language and culture in their native tongue, and in inculcating values of independence.

How do we redress the economic imbalance, growing daily, between the nations which are becoming richer and the nations which are becoming poorer?

How do we provide sound economic development in countries so similar, yet so different in development as Puerto Rico,

Cuba, and the Dominican Republic? What could we have done to provide for the progressive economic development which has occurred in Puerto Rico as opposed to the adrupt explosion in Cuba and the tragic situation in the Dominican Republic?

How do we meet the food requirements of an expanding world population and overcome the nutritional deficiencies evident in our own land and which predominate in most countries of the world?

How do we develop and utilize the resources of the sea?

How do we preserve independence of mind in a free society when broad political and social goals compel, indeed, divert intellectual resources into purely technological directions?

How do we attain excellence, self-renewal, and happiness—those Grecian ideals we so frequently note and then equally ignore as we immerse ourselves in our daily tasks? The problems of science, as we know only too well are uniquely simple compared to the human problems which presumedly are the politician's daily fare.

How do we educate men not only in the ever-changing fundamentals of their chosen field, but reeducate them and each generation in new knowledge? How do we provide insight for them into the policy-formulation processes so that their knowledge can be effectively utilized?

How do we encourage thinking uncontaminated by expediency in the intellectual community yet intrude thinking on the apparent expediency in the political community—a subject with which we are dealing, in part, today?

How do we decentralize decision making in our society—in the case of Government, for example, perhaps regional decisions on air and water pollution—while preserving national unity?

How do we decentralize industry and move the factories to the fields so that rural unemployment can be remedied, our cultural opportunities expanded, and a better life provided for many who now live in stifling cities?

How do we control man's physical environment, water pollution and smog, for example, to advance the common good? As one person said: "The air is fine as long as you don't inhale it."

How do we remedy water shortages not merely in the semiarid West, but across the land and to utilize the millions of acre-feet of precious water now wasting into the sea not to mention the effective desalting of the sea itself?

How do we dignify physical labor in an advanced industrial nation so that not all will aspire to be white collar workers? How do we provide incentives for industry to employ those without training and train them on the job in a land where equality of opportunity is too often but a hollow phrase?

How do we reduce the incentive not to work encouraged by some types of welfare payments, yet make adequate payments to meet social needs and prevent human catastrophe?

How do we improve the moral, esthetic and philosophical quality of urban life so people of all races can live, in peace and harmony, where each desires?

How do we reduce crime, delinquency, and narcotics addiction, eliminate poor educational and housing facilities, and provide the necessary fiscal resources for our supposedly ungovernable cities to meet their needs if they are to survive? In the urban cities of this land and this State, as I noted earlier, the Republican Party has a unique opportunity to provide the innovators, the doers, and the sound administrative talent to break the stranglehold of Democratic machines and citizen apathy, helplessness, and hopelessness.

How do we break down our cities into neighborhoods where there is a coming together of the political, social, educational, health, and professional life of a community? Sadly, our cities are not something to be aspired to like a medieval cathedral, but rather they are a necessity to be tolerated.

How do we find new governmental units at the local level which will meet the people's needs and bring some order and efficiency and some compassion to the administration of local affairs? Perhaps the problems created by the rapid spread of our people should be approached as we have the spread of disease and a national or a State institute of urban life be established which could combine public resources and private effort in analyzing and recommending solutions for the various facets of urban sprawl, solid waste disposal, polluted streams and air, unemployed workers. Perhaps we should devise a modified version of the so-called Heller plan to rebate a portion of Federal taxes to the States and, instead, rebate them to regional conglomerations of governmental units who are cooperating together to attack these problems which know no State boundaries.

How do we in an age of television with the atomization of society, enable a political party to reach the people in a meaningful and continuing way in order to discover their needs and their views?

How do we encourage qualified individuals, unless they are born rich or beholden to interests which ought not to bind them, to seek political office in a society where a campaign for Governor or Senator in a large urban State such as California costs $1, $2, or even $3 million?

These are the problems which a political party to be worthy of the name and its tradition must seek answers to if it is to survive in 20th century America.

But, let us remember, that however we attack these problems—however we attempt to secure the application of the best minds to the most longstanding problems—there is a need to provide an institutional framework from the very beginning in the planning and formulation stage. There, whether it be under auspices of the Government or of the political party or just independently by an individual officeholder, the politican and the intellectual can come to know each other. There, they can bring their varying perspectives to bear on a common problem so that the end product will be implemented by an aroused citizenry, not filed by a weary librarian.

All too often the attitude has been: "Let the Government give a grant to the planner and the problem will be solved." The grants continue—and the problems continue. The need is for an awareness by politician and planner of what each can offer the other. For some it will be power. Hopefully, for most, it will be results. It will mean better Government because both have truly participated. It will mean ideas in action.

Let Republican politicians, however, make no mistake. Intellectuals will not work for a party or a man merely for the sake of work.

The recent debacle in New Jersey following the effort by some Republicans to limit academic freedom should bury that misguided type of campaign issue for all time, not only in New Jersey, but also in California, and, hopefully, in any part of this Nation. So, too, with the meaningless cries of States rights and fiscal responsibility which we perennially hear. Let us talk, instead, of State and individual responsibility and initiative. Let us remember that we believe in freedom but it is freedom for human beings not freedom for the State to oppress human beings. In this belief the intellectual community and the Republican Party share a common tradition. Let us remember that we believe in responsibility but that fiscal responsibility is not refusing to spend the money needed to do a given job when the legitimate political organs of society have agreed, by majority vote, that the job should be done.

There is no inexorable law of political life which says that the Republican Party will some day regain political power. In the age of apparent consensus we could be in for many years of one party government. The danger, of course, will be increasing extremist fragmentation in both parties with the greatest havoc taking place in the Republican Party unless a new and viable majority can be produced by offering candidates and issues that deserve to win the faith of the people.

As a party, we must not seek final answers. But we must seek workable answers recognizing always that the world in which we live is in constant flux and that the answer for today will not be sufficient for the morrow.

The proper utilization of knowledge will hopefully lead to more alternatives before reaching a given decision. As never before in this complex age not only of the nuclear bomb but of teeming and sprawling cities, there is need for informed choice before public decisions are made which will affect our own and future generations.

As members of the intellectual community, you have a duty not merely to educate politicians and to educate yourselves, but also to educate society. Indeed, there is a responsibility in our universities and in all components of our educational system to educate not only our youth but to re-educate each generation, a task one distinguished scholar has called the need "to reeducate the educated." There is a responsibility of Government and political leaders to take advantage of this opportunity.

There is need for scholars to make a commitment to the party of their choice and the candidate who welcomes new ideas. Our political system is founded on two broad-based parties with competition between each and within each. For ideas to be utilized effectively there is little other alternative.

The late John Maynard Keynes noted in the concluding pages of his classic work, "The General Theory of Employment, Interest, and Money":

The ideas of economists and political philosophers, both when they are right and when they are wrong, are more powerful than is commonly understood. Indeed the world is ruled by little else. Practical men, who believe themselves to be quite exempt from any intellectual influences, are usually the slaves of some defunct economist. Madmen in authority, who hear voices in the air, are distilling their frenzy from some academic scribbler of a few years back. I am sure that the power of vested interests is vastly exaggerated compared with the gradual encroachment of ideas * * * soon or late, it is ideas, not vested interests, which are dangerous for good or evil."

Ideas, as it has been wisely said, are weapons. I hope that you, politicians and scholars, will use ideas, in action, for the common good.

The answer you make to this challenge and to those issues will largely determine the future of the Republican Party. It is up to you.

LET'S GO SLOW ON REIMPOSING OBNOXIOUS EXCISE TAXES

Mr. YOUNG of Ohio. Mr. President, President Johnson in his somber state of the Union message, indicated that we are likely to be involved in the Vietnam war for a long, long time.

Frankly, any time that American GI's spend in fighting and dying in the steaming jungles, bogged down in this hideous

terrorist war in southeast Asia, is too long.

The President proposed restoration of the obnoxious sales or excise taxes on telephone service and automobile sales. Those taxes were imposed in 1942 as temporary or wartime taxes. I remember the occasion very well, as I was a Member of the House of Representatives at that time.

Nothing seems so permanent as a temporary tax.

It was not until 1965 that Congress repealed those taxes. There is now a call for more taxes. Automobiles are absolutely necessary to many families. Certainly telephone service is essential to businessmen and to families. Such sales or excise taxes burden most those who have the least. They are regressive, unfair, obnoxious, and atrocious. They violate every principle of just taxation—that taxes should be levied according to ability to pay. Such taxes should not be reimposed. If, because of waging a major war in Vietnam, increased taxes become necessary, let us start with taxes on liquor and tobacco, instead of taxing telephone calls and adding to the cost of automobiles.

Furthermore, the cost of our huge war efforts in Vietnam should not be paid for by depriving the underprivileged, uneducated, and the unemployed of Federal aid to furnish them educational and employment opportunities. We should go forward with what President Johnson terms his Great Society program. Taxes should not be increased before every effort is first made to eliminate waste and duplication in Government, particularly in the Department of Defense, which spends over half our national budget.

Do-nothing little bureaucratic empires which abound in Federal agencies and which have over the years grown "like Topsy" should be rooted out and abolished.

For example, if Secretary McNamara really wishes to impose economy in his Department, the place to begin is in the worthless, boondoggling Civil Defense Division. Of its 779 employees, half receive more than $13,800 a year and do very little for their money except to concoct plans and send messages to each other, plan shelter spaces in public buildings, and buy what they call survival biscuits which will soon rot. The average salary of Defense Department civil defense employees is $11,500 a year. Contrast that with FBI officials and employees average salaries of $8,500 a year; and with the National Aeronautics and Space Administration, where many scientists are employed, the average salary approximates $10,000 a year.

Defense Secretary McNamara should remove from the public trough these civil defense boondogglers in his own Department with salaries ranging from $27,000 per annum for Director William P. Durkee right down the line, including 2 at $25,382; 7 at $24,135; 21 at $21,220; 92 at $18,650; 158 at $15,950 and 110 at $13,800. The truth is most of these are castoffs from other departments whose heads desired to be rid of them but because of civil service rules or personal reasons felt they could not fire them. They should all be removed from the public trough.

It is a certainty that the silly civil defense schemes concocted by these bureaucrats would be of no use whatever in event of nuclear war. More to the point, what nation is threatening us with nuclear attack today? Do the civil defense bureaucrats feel that Red China, which has exploded a primitive atomic device and has no delivery capability, is threatening us with a nuclear attack? Or, are they afraid of Indonesia, or Egypt, or India or some other nation still in the infancy stage of nuclear development?

The Soviet Union, the only nation with the capability of hurling nuclear warheads on airfields and cities in the United States, is no longer a serious nuclear menace. It is a "have" nation instead of a "have not" nation. Its leaders seek to raise the standard of living of the Russian people. The Soviet Union dictators have been veering toward capitalism. Hostility between Moscow and Peiping is very evident.

By eliminating expenditures for this useless agency, millions of taxpayers' dollars would be saved and could be diverted to help defray the cost of the Vietnam war. Certainly, there is no justification whatever for curtailing antipoverty programs while the civil defense boondoggle continues. Last year alone, $105,200,000 was appropriated, and, in my view, completely wasted on civil defense.

Mr. President, the billions of dollars cost of the Vietnam conflict should be shared, and citizens in moderate or humble circumstances should not bear the greater part of the burden.

TRIBUTE TO ANTONIO J. BERMUDEZ

Mr. MORSE. Mr. President, the staff of the Committee on Foreign Relations has advised me recently that one of the great friends of the United States, from the Government of Mexico, Senator Antonio Bermudez, has just retired from his latest governmental assignment as chairman and director of the so-called Frontier project.

Senator Antonio Bermudez served his country with great distinction as a Senator in the Mexican Parliament. He was then appointed as the Director for Pemex, which is the petroleum organization of the Government of Mexico. This organization administers the development of the oil facilities of Mexico. It was in that connection that I first came to know Senator Bermudez.

In 1949 former President Harry Truman sent me on a special mission to Mexico to look into some of the problems connected with Pemex, as he wished to have the facts before he made a judgment with regard to whether the United States should give consideration to granting a loan to the Government of Mexico for use in helping to develop its oil facilities.

As a member of the Foreign Relations Committee and Chairman of the Subcommittee on Latin American Affairs, I have had occasion from time to time to work with Senator Bermudez in connection with United States-Mexican programs, particularly with respect to the development of the great Mexican border program.

The staff of the Foreign Relations Committee has called my attention to an article which appeared in a great Mexican newspaper, the News, on November 22, 1965, while I was out of the country. I was not aware of it until my return. It was written by one of the best known columnists in Mexico, Pepe Romero. It pays high tribute to Senator Bermudez in regard to his statesmanship with respect to his fine work as Director of the Mexican border program, and also his statesmanship in connection with his directorship of Pemex.

I associate myself with every comment and word of praise of Senator Bermudez in this very fine article by Mr. Romero. I ask unanimous consent that the article may be printed in the RECORD at this point.

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

UN MOMENTITO WITH PEPE ROMERO

MEXICO D.F.—The self-publicized degree of patriotism, can be worked to futile nonsignificance, because patriotism is achieved by a long trajectory of constructive and valorous intercessions in behalf of one's country, most always in silence. The man who blows to the four winds how patriotic he is, always proves in the end to be full of bull. That is why today I am proud to be writing about a man who is acknowledged during his life, as a true patriot of Mexico. About his person, his worth, and his erudition—he is humble; in anything that has to do with the slightest threat of his country—he is a fighting cock. His brain works like lightning, and yet he is slow, measured and never impulsive in his criticism of others. I am talking about a great Mexican—Antonio J. Bermudez, who a few days ago resigned as Mandamas of Mexico's National Border program (Programa Nacional Fronterizo). All of us know that the Mexican border has been for untold number of years a source of shame and embarrassment to Mexico. Amigos, let's stand at attention to salute don Antonio who in only 4 years of tireless efforts "to clean up the border" has converted it to something all of us can be proud of. Don Antonio awakened interest and preoccupation among the high oligarchy of government and evoked civic response from the people throughout the republic. Senator Bermudez' fight to eradicate the slum atmosphere of our border towns did magic in giving not only a face-bath and a new look to these ports of entry and departure, but increased the business life along the entire border by an increase of a thousand million pesos of sales of articles made in Mexico.

There definitely, thanks to Don Antonio's determination, foresight, experience as a national administrator, and extraordinary leadership, he created new golden doors to Mexico in Tijuana, Nogales, Piedras Negras, and Matamoros. All who pass these doors receive a new clean impression and a truer picture of what to expect in the interior, besides they will find new modern buildings, shopping centers, supermarkets, arts and craft, etc., as an introduct of still greater cultural and commercial activity in the heart of Mexico. His collaborators feel privileged to have worked with Don Antonio. One said, "It has been an honor for us to have worked for a man of such dignity, so clean and tireless worker, who has no watch

when anything must be done for the good of Mexico."

Antonio J. Bermudez hails from Chihuahua. A handsome, hard-working and smart youth he became a selfmade success in business. Money no longer an object, he dedicated time and money to serve others. For two terms he was prexy of the Chamber of Commerce of Ciudad Juarez, ditto of the Rotary, and soon after began his political career when he was elected Presidente Municipal (mayor) of Ciudad Juarez in 1941. After that, he became treasurer of the State of Chihuahua, and then Senator of the Republic. In 1946 Don Antonio was brought to national prominence by President Miguel Aleman who appointed him director general of Pemex in order to help resurrect the then-agonizing Mexican oil industry. By 1952 Pemex was already Mexico's No. 1 taxpayer—$1,780,000 pesos for every working day. The legend then was that at the time he took over the job, Don Antonio didn't know the difference between a "Christmas tree" and a string of casing, but that before a roughneck could say parangaricutiro the Senator knew how to differentiate between a wildcat and a duster. If he caught anyone taking or offering a bribe he rubbed them off his list and put them on a black one. Books will be written about his work at Pemex, so much so that when Don Adolfo Ruiz Cortines became President, Don Antonio was held over for another 6-year term. What was a great item for me in those days, was when I reported as did the entire press, that Antonio J. Bermudez had donated his salary during his 12 years as head to Pemex, mostly to educate young men to become oil technicians. During President Adolfo Lopez Mateos' administration A.J.B. was his Ambassador Plenipotentiary to the Middle East, until it became imperative to bring him back to march in front of the national border program—now a national pride.

PIONEERING BY OREGON BUSINESSMEN IN ASIAN WHEAT EXPORT MARKET INDICATES VALUE OF SMALL BUSINESS COMMITTEE WORK ON BEEF EXPORTS

Mr. MORSE. Mr. President, for the past several years our Asian neighbors and their economic and political significance to the United States have been the subject of increasing attention.

A recent issue of the magazine, Foreign Agriculture, contains several articles which describe the early recognition of this situation by a group of Oregon businessmen and summarize the large dividends which are being reaped, as a result of their efforts.

The articles picture the growth of U.S. feed grain exports and point out that, in 1956, the Oregon wheat growers organization took the initiative in developing the Japanese market by opening an office in Tokyo for the purpose of promoting the sale of American wheat and wheat products. Mr. Richard K. Baum of Portland, Oreg., was the executive vice president of the Oregon wheat growers at the time, and in cooperation with the officials of the Foreign Agricultural Service of the Department of Agriculture, played a key role in the establishment of this operation. In 1959, the wheat growers associations of Washington and Idaho came into this program, and during the same year, the Great Plains Wheat Association also began its participation in the Japan program. At that time, the name of the office was changed to Wheat Associates to reflect the joint nature of the enterprise.

The group's market development activities included a kitchen bus project, assistance with school lunch programs, bakery training schools, and technical assistance to other end-user groups.

As a result during the ensuing decade, wheat dollar sales exports to Japan have increased about sixfold, from $22 to $120 million. We have established U.S. wheat as the supplier for 50 percent of the growing Japanese market.

In 1965, this single export market accounted for 62 million bushels or 43 percent of all U.S. wheat exports. It is estimated by the U.S. Department of Agriculture that our dollar sales have resulted in balance of payment credits of $650 million the past decade. In addition, sales to the Philippines and other Far Eastern markets have been increasing.

An article entitled "Japanese Businessman Successfully Promotes Wheat Foods" illustrates the benefits of the Oregon and successor programs to Japanese economy also. It reviews the career of a Japanese businessman, who began 15 years ago with a family bakery and then became affiliated with the Oregon Wheat Growers program as a consultant. This small businessman has now built a modern bakery, which is the second largest in Osaka, servicing 20 retail outlets, using a fleet of 70 trucks, and turning out 27,000 loaves of bread and 120,000 pieces of Western style pastry per day. The figures illustrate the potential for Western tastes and fashions in food, which are more fully described in a third article "Economist Predicts Japan Will Mirror Western Food Ways by 1985." It is pertinent to note the economist's statement that:

> While consumption of rice in 1985 * * * will drop to 80 percent of its current level, intake of animal flesh will be 6.3 times that of 1961. * * * To meet the need for more animal flesh, 27.5 million cows—or an average of 1 for every 5 men—will be needed.

This movement has already begun, as indicated by an Agriculture dispatch of December 13, 1965, which tells of three increases in the Japanese meat import quota during the past year, and the specific interest in high quality American beef.

This information, I feel, deserves consideration by the American beef and cattle industries. It is particularly relevant in the light of the work currently being done by the Select Committee on Small Business in reducing freight rate and trade barriers and encouraging the exports of U.S. beef, cattle, and beef products.

The history of the Japanese wheat trade shows reductions in rail freight rates beginning in 1962 have been a key factor in the introduction of certain types of U.S. wheat into Japanese and other Asian markets. In fact, during the first year when the rate cut had an effect, fiscal year 1962, cash wheat sales to Japan rose more than 18 percent. The Agriculture Department has been kind enough to furnish me with an article dated June 28, 1965, and other data which gives the details of this development.

As a result of the Small Business Committee's activities of the past year, the U.S. beef industry can now benefit from average reductions in ocean freight rates of 25 percent and air freight rates cuts of 25 to 30 percent. The committee filed an interim report in October on this subject, which I feel is a useful contribution for those who are interested in the prospect for exports of all agricultural commodities, particularly beef. It is expected that the committee hearings on this subject will be reconvened in order to make the most of the opportunities presented.

Meanwhile, I feel that the Nation can be grateful for the pioneering work done by the Oregon wheatgrowers in combining the best traditions of the free enterprise system with outstanding service to the national interest. It is the hope of Senator SPARKMAN, and members of the Small Business Committee such as myself, that the work now being done in the area of beef exports will contribute to similar developments in this field.

Mr. President, I ask unanimous consent that the articles and materials to which I referred be reprinted following my remarks in order that they may be available to those interested in this field.

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

[From Foreign Agriculture, Jan. 3, 1966]

A GRAPHIC PICTURE OF GROWTH IN U.S. FEED GRAIN EXPORTS

One of the most dramatic farm-trade success stories of the past decade has been the phenomenal growth in U.S. and world exports of feed grains. This growth, which parallels the worldwide spurt in demand for those reflectors of better living, animal products, is graphically shown in the charts below.

U.S. exports of feed grains during the past 9 years moved in a succession of records to a level nearly triple that of fiscal 1957. This rise has placed feed grains in the position of third biggest agricultural export and second largest dollar earner for fiscal 1965. And all indications are that the chain of record exports will be extended for another year, with the U.S. export earnings from feed grains in fiscal year 1966 surpassing the billion-dollar mark.

Combining to bring these results have been the increased efficiency of our feed grain producers: Europe's and Japan's rapid economic growth, allowing more indirect consumption of grains through animal products; and aggressive U.S. market promotion abroad. A large part of our increased exports are going into production of mixed feed, which is spiraling as a result of the development of large-scale poultry and livestock industries in Western Europe and in Japan.

As in the past, the majority of these customers are in Western Europe, with the United Kingdom and the Netherlands maintaining their long-time positions as major buyers and Italy and Spain emerging as new ones of importance. Japan, however, is the most dramatic example of market growth in a single country, its purchases of U.S. feed grains tripling since fiscal 1957 and today exceeding those of any other country.

Also, numerous of the so-called emerging countries are beginning to develop large-scale livestock industries, especially poultry enterprises, and could well become our feed grain markets of tomorrow.

Competitors abroad have not been able to keep pace with our rapid export growth rate,

and today this country accounts for about half the world exports against only about a third in fiscal 1957. Competition remains keen, however, in the foreign markets for corn—by far our largest feed grain export—with several newcomers, such as Thailand, Brazil, and Mexico, moving in to capitalize on the buoyant world demand. In the exports of the other big gainer of recent years, grain sorghums, the United States has had the overseas market largely to itself. But for this commodity also, at least one country—Argentina—is stepping up production and exports.

[From Foreign Agriculture, Jan. 3, 1966]

JAPANESE BUSINESSMAN SUCCESSFULLY PROMOTES WHEAT FOODS

(How a Japanese businessman—formerly a representative of the U.S. wheat cooperator in Japan—capitalized on his knowledge of U.S. wheats and his country's interest in Western foods is told here by Clancy Jean, FAS marketing specialist.)

Ryoichi Sugano returned to Japan after World War II from China where he had been an overseas member of a Japanese trading company. He advised his brother and widowed mother that he wanted to go into the bakery business because he believed the baking business would have a good future in the Japanese market. This was not a very popular decision because no one in the family had ever been in the bakery business, and at that time bakeries (pan-ya) were mostly small, one-man shops.

In 1950, Mr. Sugano opened his first small bakery as a family venture with his brother and a few employees, only one of whom had any experience in the bakery business. About this time he read in U.S. magazines about the (U.S.) Wheat Flour Institute of the Millers National Federation and the bakery service department of General Mills, Inc. He believed that by studying magazines and books he could gain information about American food habits. This would be very important to him as he had very little experience in the baking business and wished to expand his business in the future. He wrote to the Wheat Flour Institute and General Mills for information and literature on the promotion of wheat foods. He established his bakery under the name of Maru-S Baking Co. (Maru means circle, and S from his name is a shape considered attractive by Japanese people.)

OREGON WHEAT GROWERS LEAGUE

In 1956 when the Oregon Wheat Growers League opened an office in Tokyo, Mr. Sugano became local assistant to the Far East representative. After helping with the Oregon Wheat League exhibit at the Osaka International Trade Fair, Mr. Sugano move to Tokyo. On weekends he commuted to Osaka and continued to manage the baking and other business.

For nearly 5 years, Mr. Sugano assisted with the U.S. wheat market development program, first under the Oregon Wheat Growers League program and later under Wheat Associates, the successor organization. During this time, market development activities included inaugurating the popular kitchen bus project, assisting with school lunch programs, participation in bakery training schools, and technical assistance to other end-user groups.

Mr. Sugano accompanied the first Japanese wheat team brought to the United States in 1957. In 1959, he again came to the United States as interpreter for a biscuit and cracker technician who spent a month in a concentrated study of the U.S. industry. In 1961, increased pressures from his growing business, plus growing activity in the wheat cooperator office made it necessary for Mr. Sugano to resign in order to devote full time to his own affairs.

GROWTH OF BAKING BUSINESS

In the past 15 years, the Maru-S Baking Co. has grown from an idea to the second largest, and most modern bakery in the Osaka area (by general definition this includes about six prefectures). There is also a sandwich and coffee shop business which has grown so large that it has become an independent company.

In the spring of 1964, he opened a new bakery plant with a capacity of 500 50-pound sacks of flour for an 8-hour shift. At present, bread production consumes 320 sacks per day in turning out 27,000 loaves of bread.

Bun and sweet roll production runs 120,000 pieces per day and uses 180 sacks of flour. A second production line for buns and rolls will go into operation this month.

Maru-S Bakery has 50 large trucks and some 20 smaller trucks. The bakery is integrated with another corporation which Mr. Sugano owns, encompassing about 20 retail shops which sell such things as bread, rolls, and doughnuts, and five hotdog-sandwich and coffee shops. These retail outlets consume about 20 percent of the output of the Maru-S Baking Co.

Prior to opening his new bakery plant 15 months ago Mr. Sugano's operation consisted of his original bakery plant with a capacity of 250 sacks per 18-hour day (2 shifts). At this time he was only the fifth or sixth largest baker in Osaka.

It was in the second plant that Mr. Sugano developed his own public relations program. In this plant he included a lecture room which is used not only to train his own personnel, but for cooking classes for housewives.

Major emphasis is given to sandwich preparation in the classes. From those who attended he formed the Maru-S Friends Society and today there are 3,500 housewives registered.

Mr. Sugano relates how he has asked the housewives how many sandwiches they knew how to make. "Only two or three—they don't even use up the fingers of one hand to count the sandwiches they know how to make. So I tell them, there are 1,000 sandwiches, but I can tell you 2 more—Sukiyaki and fishcake—at which all the housewives laugh, saying, whoever heard of a s'kyaki sandwich? But later on some housewives write me that they have tried s'kyaki as a sandwich and their families like it very much."

SMALL RETAIL SPECIALTY SHOPS

The retail shops selling baked goods vary from very small stands which might sell only doughnuts to those selling all types of bread and other baked goods. Others specialize in hot dogs or pancakes. These retail outlets are located mainly in the food departments of large department stores and gross from $100 to $500 per day.

His most recent venture is the Gourmet Sandwich Shop, an elegant place located in an underground arcade in Osaka, which seats 22 customers. The location appears excellent—on a corner in one of the busiest shopping areas in Japan.

Mr. Sugano observes that 90 percent of his customers at the Gourmet are women, most of whom are in the 18–22 year age group. They frequently bring their mothers or boy friends when stopping in for a sandwich.

Near the Gourmet are other restaurants, specializing in noodles, curry dishes, and other foods. Mr. Sugano observes that noodles are preferred mostly by older men and women while younger men are the most frequent customers at the curry shops.

When Su-san, as he is known to his friends, opened the Gourmet, his business associates told him it could not succeed if he limited his menu to sandwiches. Most shops that sell sandwiches also offer many other dishes. Mr. Sugano persisted and the sandwich has remained king. Seldom are any of the 22 seats vacant and it is not uncommon to see two or three ojo-san (young ladies) waiting to be seated.

The decor is in excellent taste and on the walls are two large framed sandwich promotion posters secured from the U.S. Wheat Flour Institute of Chicago. Each year these posters are replaced with the latest version from the institute.

Mr. Sugano is one of several progressive food merchants in urban Japan who are developing the image of the sandwich as a meal, not just a snack.

Mr. Sugano has definite criteria for a Western-style sandwich. The bread slices must be of a conventional thickness and the filling must be at least the thickness of one slice of bread. This is in contrast to the traditional sandwich in Japan—two very thin slices of bread and an even thinner filling. His menu lists about 50 different kinds of sandwiches.

Mr. Sugano also has a pancake stand in a large department store, which he claims is the busiest shop of its kind, not only in the Osaka area, but in all of Japan. At this stand he sells seven different varieties of pancakes. As much maple sirup as the customer wants is served with the pancakes. The sirup is also made by Sugano's firm. Business is rather dull in the summer, he states, because pancakes are hot food, but in other seasons business is wonderful. At peak seasons as many as 1,600 customers will be served at the pancake stand each day, although it has only 25 seats. The customers like being able to get a regular pancake with maple sirup and butter for 17 cents.

WESTERN-STYLE FOOD LEADERS

Pancakes, doughnuts, sandwiches, and other wheat foods are emerging as sales leaders in the Western-style food sector of the Japanese market.

The United States supplies about 50 percent of Japan's wheat imports—in fiscal 1965 about 62 million bushels—mainly Hard Red Winter, Western White, Hard Red Spring, and small amounts of Durum. Japan accounted for 43 percent of U.S. commercial wheat export business in 1965.

[From Foreign Agriculture, Jan. 3, 1966]

ECONOMIST PREDICTS JAPAN WILL MIRROR WESTERN FOOD WAYS BY 1985

In 20 years, the Japanese will be living and eating in the Euro-American fashion—earning an average of $2,000 a year and consuming more livestock products, milk, dairy products, and vegetables.

Population will have risen 1.3 percent annually to a total of 129.6 million, individual ability will receive higher recognition in the labor market, and college education will be universal.

This blueprint of the future was drawn recently by Yujiro Hayashi, prominent economist in Japan's Economic Planning Agency. Following a liberal analysis of the country's economy, Mr. Hayashi predicted that by 1985, the physical constitution, working conditions, and living standards of the Japanese people will be substantially improved.

CALORIE INTAKE TO RISE

The improved physical constitution will result from a dramatic change in eating habits, with calorie intake expected to reach the Western level of 3,000 per day. While consumption of rice—predicted at 9.8 million tons annually in 1985—will drop to 80 percent of the current level, intake of animal flesh will be 6.3 times that of 1961. People will be eating 4.7 times more milk and dairy products, 1.9 times more eggs, and 1.1 times more vegetables.

To meet the need for more animal flesh, 27.5 million cows—or an average of 1 for every 5 men—will be needed. A total of

1.75 million tons of cow milk will be required in the Tokyo area alone.

The change in living standards and food intake will have a considerable effect on the makeup of the population. With a longer life span, the number of people over 34 will rise to 46 percent of the population as against 34 percent in 1960. Marriageable age will advance, and 43 percent of the women between 20 and 24 will be married, compared with 31 percent in 1960. Wives will find jobs more readily available, and differences in wages for men and women will diminish.

Along with the $1,400 rise in per capita national income, Mr. Hayashi predicts a full-employment economy with a 5-day, 40-hour workweek, a high wage level, and complete security against risk and damage. The percentage of blue-collar workers (including farmers) in the labor force will decline to 47 percent from 65 percent in 1960, while the farm population—forecast at 13 million—will be a mere 10 percent of the nation's total.

CHANGE IN FARM MANAGEMENT

Income differences between agricultural and nonagricultural labor will drop to the Western level, although Mr. Hayashi does not see farm relief and other social security measures as implements of raising farm incomes. Per family arable land will increase and farm management will undergo substantial change; under the present system, a population decline by itself would not automatically raise per capita output.

While changes in farm management figure highly in Mr. Hayashi's forecasts, he stresses the development of industries—electronics, rocketry, and nucleonics—commensurate with Japan's geographical conditions. Among his expectations are practical use of nuclear energy, electric automobiles, hovercraft, and televised telephones.

Chief stumbling blocks in Japan's growth during the next 20 years will be the problems of water supply and waste disposal. More than 13.1 million tons of water will be needed daily—3.8 times current consumption—making desalination of sea water a practical necessity. The volume of refuse will amount to about three times its current level.

[From the Foreign Agriculture, June 28, 1965]

NEW RAIL RATES FOR U.S. SPRING WHEATS TO PERMIT COMPETITIVE PRICING OF EXPORTS TO IMPORTANT ASIAN MARKETS

Reduced rail rates on U.S. Hard Spring and Durum wheats that became effective earlier this month will enable the United States to make these wheats available to the important Asian markets on a regular basis—and at competitive prices—off the Pacific coast.

The reduction in summer rates from June through October amount to as much as 15 cents a bushel, with those on winter traffic to be lowered by an additional 6 cents for some points.

Approval by the Interstate Commerce Commission was granted on June 11, following a 30-day waiting period for receiving comments from interested parties on the reductions asked by the Northern Pacific, the Great Northern, and the Chicago, Milwaukee, St. Paul & Pacific railroads. Also actively supporting the revised rate schedule have been the North and South Dakota State Wheat Commissions which are members of Great Plains Wheat, Inc., an FAS cooperator in overseas market development programs.

The new rates—applying to an area in the Dakotas and Montana that produces the bulk of this country's Hard Spring and Durum wheats—are designed to pull more of these wheats westward, but at the same time not to disrupt traditional marketing patterns.

Prior to this month, existing rail rates—originally set up in 1934 and increased many times since—prohibited rail movement to the west of quantities adequate to meet the requirements of dollar markets in Asia, and buyers were not interested in shipments from Gulf and Atlantic ports because of the added ocean freight cost.

In addition to the saving on ocean transportation, the new rates mean that it now costs no more to send spring wheats by rail to the west coast than by combination rail and barge to the gulf, or by rail to Atlantic ports. The rates are calculated on the basis of the standard gathering rate from the point of shipment to Minneapolis, Minn., plus the barge rate to New Orleans of 18.6 cents per bushel.

The new rates generally become progressively lower as the distance increases between each shipping point and the west coast, ranging from 42 cents per bushel from Grand Forks in eastern North Dakota to 54 cents per bushel from Wolf Point in eastern Montana.

But the minimum price of the wheat once it arrives on the coast will vary according to the county of origin and the loan support price guaranteed the producers under the Federal farm price-support program. Adding the support price to the Grand Forks rate, for example, the minimum price at Portland, Oreg. is $1.76 a bushel; that for wheat from Wolf Point is $1.67. These prices do not include handling charges (loading and unloading) and premiums offered for higher protein content, nor do they reflect the strength of the domestic wheat market at the time.

It was a 1962 freight rate reduction on U.S. Hard Red Winter wheat westbound from the southern Great Plains area that permitted the U.S. wheat industry to break into the Asian market in a big way. Hard Winter this past Japanese fiscal year (April 1964–March 1965) accounted for roughly 60 percent of total U.S. wheat shipments to Japan of 1.6 million metric tons.

Assessing the impact of the new rates for Spring and Durum wheats to Japan, USDA officials are estimating sales of at least 200,000 tons of Hard Spring wheat during the 1965–66 marketing year. The Japanese Food Agency has been importing a total of some 1.4 million tons of spring wheat annually, all of which has been supplied by Canada.

In anticipation of the rate reductions, the food agency in late May and early June bought 40,500 tons of U.S. Hard Spring, following trial imports of 1,200 tons of U.S. No. 2 Dark Northern Spring wheat. In addition, a trial shipment of 770 tons of No. 2 Hard Amber Durum was purchased by the food agency—a wheat that is entirely new to the Japanese market. The Durum wheat is presently being test-milled into semolina by the food agency to determine the wheat's acceptability and to establish domestic retail prices.

The new rail rates will also strengthen the U.S. competitive position in the Philippines, a more than 400,000-ton wheat buyer. About 70 percent is high protein wheat.

U.S. DEPARTMENT OF AGRICULTURE DISPATCH—FOREIGN AGRICULTURAL SERVICE, DECEMBER 13, 1965

From: Agricultural Attaché, Tokyo.
To: Department of Agriculture, Washington.
Subject: Japan: Japan import quota for beef announced.

(Prepared by J. D. Minyard.)

The Ministry of International Trade and Industry recently announced an additional import quota for beef. The quota will be for 2,800 metric tons on a global basis. Of the total 2,800 metric tons, 2,500 tons will be allocated to regular importers through the Livestock Development Corp. (LDC), a quasi-governmental organization responsible for carrying out some of the livestock development and price stabilization functions of the Ministry of Agriculture and Forestry.

The LDC will, for the first time, import 300 metric tons of beef for its own account. According to a LDC official, some of the 300 metric tons will be loin strips, hind quarters, and forequarters.

This quota is in addition to the previously announced quotas of 5,000 metric tons in April 1965 and 2,000 tons in August 1965 (see AGR-323, Apr. 22, 1965, and AGR-25, Sept. 2, 1965). There is a strong possibility that an additional quota will be issued before the end of the current Japanese fiscal year ending March 31, 1966.

Although doubtful, the LDC may purchase a small volume of high quality U.S. beef. In discussions with the LDC, interest has been shown in supplies of beef from different countries suitable for high quality demand.

According to an MAF announcement, 80 yen[1] per kilogram will be collected on the 2,500 metric tons of beef imported by trade firms. The money will be divided between the LDC and the Beef Wholesalers Association. LDC will get 50 yen per kilogram to promote the domestic livestock industry, and the wholesalers will have 30 yen to improve meat marketing facilities.

ELMER W. HALLOWELL,
Agricultural Attaché.

GENERAL GAVIN WARNS AGAINST FURTHER INVOLVEMENT IN VIETNAM

Mr. GRUENING. Mr. President, this morning's papers carry a report of a letter sent by retired Gen. James J. Gavin, formerly chief of the Army's research and development program, who served as U.S. Ambassador to France upon his retirement and who is now chairman of the board of Arthur D. Little, Inc., warning against further escalation of the war in Vietnam.

The reports state in part:

To increase the bombing and to bomb Hanoi—or even Peiping—will add to our problems rather than detract from them, and it will not stop the penetrations of North Vietnamese troops into the south. Also, if we were to quadruple, for example, our combat forces there, we should then anticipate the intervention of Chinese volunteers and the reopening of the Korean front.

This seems to be the ultimate prospect of the course we are on now.

I ask unanimous consent that the account of this warning contained in the New York Times this morning, January 17, be printed in the RECORD.

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

GENERAL GAVIN TERMS WAR EFFORT TOO COSTLY AND RISKY TO PURSUE

(By Jack Raymond)

WASHINGTON, January 16.—James J. Gavin, a retired lieutenant general and former Ambassador to France, has declared that U.S. military objectives in South Vietnam are stretching the resources of American forces "beyond reason."

To shield all of South Vietnam against the Vietcong insurgency, he said, would require many times as much force as is being employed.

Yet, he warned, if the United States applies the force needed to attain its military goals, it must expect Communist China to enter the war in South Vietnam and reopen the Korean front as well.

General Gavin offered his military-technical opinion of the Vietnamese situation in a letter to Harper's magazine, published today in the February issue.

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[1] Three hundred and sixty yen equal one dollar.

Discussing alternatives, the general proposed a permanent end to bombing of North Vietnam and a decision to limit U.S. military operations to holding coastal enclaves in South Vietnam. Meanwhile, an ultimate solution should be sought at the United Nations or in a Geneva conference, he said.

With his letter, General Gavin became the first well-known military professional to dispute the "falling domino" theory—the contention that an American withdrawal from Vietnam would set off widening Communist takeovers, each southeast Asian nation pushing the next one into communism until the threat reached Hawaii.

"I do not for a moment think that if we should withdraw from Vietnam the next stop would be Waikiki," General Gavin wrote. "The Kra [Malay] Peninsula, Thailand, and the Philippines can all be secured, although we ultimately might have heavy fighting on the northern frontier of Thailand."

Withdrawal from Vietnam would pose serious problems, the general wrote, "but the problems that we would then have to deal with would be far less serious than those associated with an expression of the conflict."

General Gavin, 58 years old, is board chairman and chief executive officer of Arthur D. Little, Inc., an industrial research concern in Cambridge, Mass. A well-known combat commander in Europe in World War II and in Korea, he retired from the Army in 1951 as chief of research and development after having criticized restrictions put on the Army in missile development. He was Ambassador to France in 1961 and 1962 under President Kennedy.

In his letter on the Vietnamese war, General Gavin recalled that he was the Army's chief of plans and operations in the 1950's when the United States was considering entering the war against the Vietminh forces of Ho Chi Minh, now President of the North Vietnam. The Vietminh defeated the French in 1954.

"We were talking about the possibility of sending 8 divisions plus 35 engineer battalions and other auxiliary units into the Hanoi delta," General Gavin wrote. He indicated a planned initial commitment of 200,000 men, compared with 190,000 American troops now in Vietnam.

"We had one or two old China hands on the staff at the time," the General recalled, "and the more we studied the situation the more we realized that we were in fact considering going to war with China, since she was supplying all the arms, ammunition, medical and other supplies to Ho Chi Minh."

The General added: "If we would be in fact fighting China, then we were fighting her in the wrong place, on terms entirely to her advantage. Manchuria, with its vast industrial complex coal, and iron ore, is the Ruhr of China and the heart of its warmaking capacity. There, rather than in southeast Asia, is where China should be engaged if at all."

General Gavin recalled that it was Gen. Matthew B. Ridgway, the Army Chief of Staff, who dissuaded President Dwight D. Eisenhower from committing troops to Indochina.

"The time has come," General Gavin said, "when we simply have to make up our mind what we want to do and then provide the resources necessary to do it. If our objective is to secure all of South Vietnam, then forces should be deployed on the 17th Parallel and along the Cambodian border adequate to do this.

"In view of the nature of the terrain, it might be necessary to extend our defenses on the 17th Parallel to the Mekong River and across part of Thailand. Such a course would take many times as much force as we now have in Vietnam.

"To increase the bombing and to bomb Hanoi—or even Peiping—will add to our problems rather than detract from them, and it will not stop the penetrations of North Vietnamese troops into the South. Also, if we were to quadruple, for example, our combat forces there, we should then anticipate the intervention of Chinese 'volunteers' and the reopening of the Korean front.

"This seems to be the ultimate prospect of the course we are on now."

GOVERNMENT ACCESS TO PRIVATE RECORDS

Mr. LONG of Missouri. Mr. President, a very able young lawyer on the staff of the Subcommittee on Administrative Practice and Procedure, Mr. Charles Helein, had an article printed in the St. Louis Bar Journal—Winter 1965—entitled "Government Access to Private Records—Ignoring the Fourth and Fifth Amendments."

As this very good article is of immediate interest to the Senate, I ask unanimous consent that it be printed in the RECORD.

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

GOVERNMENT ACCESS TO PRIVATE RECORDS—IGNORING THE FOURTH AND FIFTH AMENDMENTS

(By Charles H. Helein)

Few of us conduct our lives without the compilation of a variety of records detailing our activities, associations, financial dealings, health, education, etc. Few of these records are created upon a voluntary basis. More often, records are required to be kept either by government mandate or the necessities of commerce. The shift of the credit-based economy and the increased involvement of government in the health, education, welfare, and economy of the Nation underlie the growth and detailed scope of records.

Today, a credit check of the exact financial status of almost any American can be obtained in a relatively short period of time. The amount of insurance a man carries, how he invests his money, his business or profession, or the religion he follows may be determined through the various companies engaged in the gathering and exchange of information.[1]

The Federal Government maintains a vast compilation of records on its citizens—tax returns, census forms, insurance and loan applications, military service records, civil service forms, investigative reports, securities registrations, etc. To a greater or less degree, all of these records, as well as those maintained by private firms, are accessible to Federal investigators and inspectors.[2] Congress has granted broad authority to various Federal agents to subpena other records of private firms and individuals.[3] Judicial decisions have upheld these powers of inquiry and in some cases bestowed the power of inquisition.[4] The courts usually find such a broad power necessary to the effectuation and maintenance of some governmental program.[5]

The purpose of this article is twofold. A review of some of the statutory and court decisions granting or denying access to the Government to records will be made. The dangers to the full realization of the guarantees of the fourth[6] and fifth[7] amendments due to the compilation and availability of records will be outlined.

The Supreme Court first approached the issue of the proper scope of governmental access to private papers and records in the landmark case of *Boyd* v. *United States*.[8] The Government filed a suit for the forfeiture of goods for fraudulent nonpayment of customs duties. The Government had to prove the value of the goods. To do so, it sought the production of the defendant's invoices on goods previously shipped into the United States. The lower court ruled that failure to produce the invoices would render confessed the allegations of the Government. After registering strenuous objections, the defendant produced his invoices.[9]

Speaking for the majority, Mr. Justice Bradley held that the compulsory production of the defendant's books and records violative of the guarantees of both the fourth and fifth amendments.

"A compulsory production of man's private papers to establish a criminal charge against him, or to forfeit his property is within the scope of the fourth amendment to the Constitution, in all cases in which a search and seizure would be; because it is a material ingredient, and effects the sole object and purpose of the search and seizure."[10]

The compulsory production of incriminating documents by an illegal search and seizure was cut from the same mold as compelling incriminating testimony; "in this regard the fourth and fifth amendments run almost into each other."[11]

The Court was aware of the insidious nature of slight encroachments by the Government under legal guise and swiftly and decisively moved to place itself foursquare against such activity.[12] Such action was

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[1] Packard, "The Naked Society" (1964).

[2] There is a vast difference between the training and competency of an investigator, such as an FBI agent, and an inspector, such as a Food and Drug Administration inspector. Cf. Hearings on Invasions of Privacy Before the Subcommittee on Administrative Practice and Procedure of the Senate Committee on the Judiciary, 89th Cong., 1st sess. (1965).

[3] Int. Rev. Code of 1954 § 7602; The Federal Trade Commission Act § 9, 38 Stat. 722, 15 U.S.C. § 49 (1914); Interstate Commerce Act, pt. I, § 1, 62 Stat. 909, 49 U.S.C. § 12 (1948).

[4] *United States* v. *Powell*, 379 U.S. 48 (1964) (Internal Revenue summons); *United States* v. *Morton Salt Co.*, 338 U.S. 633 (1950) (Federal Trade Commission subpena); *Endicott Johnson Corp.* v. *Perkins*, 317 U.S. 501 (1943) (Department of Labor subpena).

[5] Ibid.

[6] U.S. Constitution amend. IV. The fourth amendment provides: "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched and the persons or things to be seized."

[7] U.S. Constitution amend. V. The pertinent provisions of the fifth amendment provides: "No person shall be compelled in any criminal case to be a witness against himself."

[8] 116 U.S. 616 (1886).

[9] The compulsory production of the invoices in effect incriminated the defendant though the action was in the nature of a civil proceeding for forfeiture of goods. Mr. Justice Bradley wrote: "We are also clearly of the opinion that proceedings instituted for the purpose of declaring the forfeiture of a man's property by reason of offenses committed by him, though they may be civil in form, are in their nature criminal." Id. at 633.

[10] Id. at 622.

[11] Id. at 630.

[12] "Illegitimate and unconstitutional practices get their first footing * * * by silent approaches and slight deviations from the legal modes of procedure. This can only be obviated by adhering to the rule that constitutional provisions for the security of person and property should be liberally construed." Id. at 635.

viewed as an affront not only to freedom-loving Americans, but also to all men of liberty.[13]

"Any compulsory discovery by extorting the party's oath, or compelling the production of his private books and papers, to convict him of crime, or to forfeit his property, is contrary to the principles of a free government—it is abhorent to the instincts of an American. It may suit the purposes of despotic power; but it cannot abide the pure atmosphere of political liberty and personal freedom." [13]

Eight years later, the Supreme Court reviewed a case in which a similar issue was raised.[14] The Interstate Commerce Commission was granted power to compel testimony, the appearance of witnesses and the production of books, papers, etc.[15] The power was to be exercised pursuant to the Commission's duty to regulate the common carriers under their jurisdiction. The Commission wished to question the defendant about the reasonableness of his rates. He refused to testify or to produce his books or other records. The Court did not reach the merits in the case, but remanded it to the Commission for further hearings. The Court did reaffirm their position taken in Boyd.[16] Mr. Justice Harlan stated the majority's opposition to the exercise of a general power of inquiry into the private affairs of citizens by an administrative agency.[17]

After the early 1900's, the advent of a more complex society and the necessity for an increased governmental role in that society's well-being caused the Court to retreat somewhat from their positions taken in Boyd and Brimson. The chipping away of the rigid adherence to the inviolability of private records enunciated in the two cases began in 1911.

In *Flint* v. *Stone Tracy*,[18] a unanimous Court upheld the constitutionality of a tax law that provided that returns, when initially filed with the Internal Revenue Service, would be treated as public records. After a period of time the returns would be open to inspection under rules prescribed by the Secretary of the Treasury and approved by the President.[19]

Another unanimous decision, handed down the same year, upheld the Interstate Commerce Commission's power to require common carriers to submit monthly reports under oath.[20] The reports contained the occasions on which the carriers' employees remained on duty for a period in excess of that allowed by congressional mandate.[21] The carrier raised the objection that such reports violated the fourth and fifth amendments; but to no avail.

In holding that there was no violation of the fourth amendment, the Court found the order of the Commission to be suitably specific and reasonable, ruling that there could not be, in such case, an unreasonable search and seizure. Disposing of the carrier's fifth amendment objections, the Court relied upon *Hale* v. *Henkel*.[22] This case established the personal nature of the privilege against self-incrimination and that as such, the privilege could not be invoked by officers of a corporation in favor of the corporation.

A decade later, the Federal Trade Commission sought to compel the production of a corporation's records, contracts, memorandums, and correspondence for an entire year.[23]

The FTC's statutory granted the unlimited access to all records of a corporation under its jurisdiction.[24] This time the agency did not prevail.

Mr. Justice Holmes expressed the views of a unanimous Court condemning the broad inquisitorial nature of the FTC's order.

"Anyone who respects the spirit as well as the letter of the fourth amendment would be loath to believe that Congress intended to authorize one of its subordinate agencies to sweep all our traditions into the fire * * * and to direct fishing expeditions into private papers on the possibility that they may disclose evidence of a crime. The interruption of business, the possible revelation of trade secrets and the expense compliance with the Commission's wholesale demand would cause are the least considerations. It is contrary to the first principles of justice to allow a search through all the respondent's records, relevant or irrelevant, in the hope that something will turn up." [25]

It should be noted that the American Tobacco case enjoys only limited precedential value as protection against administrative harassment. Decisions handed down after the Second World War have all but emasculated the rule against fishing expeditions.

In *Oklahoma Press Publishing Co.* v. *Walling*,[26] guidelines were set forth governing the right to inspect and require production of records kept pursuant to a statutory program.[27] The Administrator of the Wage and Hour Division of the Department of Labor issued a subpena duces tecum for the company's records to determine if there had been a violation of the Fair Labor Standards Act.[28] In sustaining the subpena, the Court set the following standards: (1) No specific charge or complaint of violation of law need be pending in order to keep the demand of the agency within the bounds of the fourth amendment; (2) it is sufficient if the investigation be for a lawfully authorized purpose within the power of Congress to command and that the records sought be relevant to the inquiry; (3) adequate, but not excessive, specification of documents to be produced.[29]

Mr. Justice Murphy dissented.[30] He was unable to approve the use of nonjudicial subpenas issued by administrative agents.

"Administrative law has increased greatly in the past few years and seems destined to be augmented even further in the future. But attending the growth should be a new and broader sense of responsibility on the part of administrative agencies and officials. Excessive use or abuse of authority can not only destroy man's instinct for liberty, but will eventually undo the administrative processes themselves. Our history is not without a precedent of a successful revolt against a ruler who sent hither swarms of officers to harass our people." [31]

The guidelines issued by the Court are also subject to criticism. To state, that an administrative order to produce books and papers is valid though it is not as specific as a warrant under the fourth amendment, and that the order is legal if the investigation be for a lawfully authorized purpose within the power of Congress to command, is to assume that Congress has the power to authorize investigations in which the means by which it is conducted do not have to comply with the fourth and fifth amendments. But that is precisely the question. May Congress, much less an administrative agency, order production of private papers without complying with the dictates of the Bill of Rights?

Relying upon precedents, the Supreme Court enunciated its "public records" doctrine the same year it decided the Oklahoma Press Publishing case.[32] In this case, the defendant was convicted of possessing gasoline ration coupons above his allotted share. Inspector of the Office of Price Administration had kept the defendant under observation for a period of time. At an opportune moment, the inspectors accosted the defendant and made him open a door to a backroom in his gas station.[33] The inspectors found coupons in excess of the gas defendant had in his tanks.

Upholding the legality of the seizure of the coupons, the Court in a 5 to 3 decision relied heavily upon the public nature (a business place) of the area searched and the public property nature of the articles seized (coupons). The coupons were determined to be the property of the Government, and as such, the inspectors had a claim of right to them.

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[13] Id. at 631.

[14] *Interstate Commerce Commission* v. *Brimson*, 154 U.S. 447 (1894).

[15] Interstate Commerce Act, pt. I, ch. 104, § 12, 24 Stat. 383 (1887).

[16] *Boyd* v. *United States*, *supra* note 8.

[17] *Interstate Commerce Commission* v. *Brimson*, *supra* note 14 at 478.

[18] 220 U.S. 107 (1911).

[19] The Court did not decide the issue of whether the fifth amendment had been violated as that issue was not raised. The Court did explicitly hold that the fourth amendment was not violated. Ibid.

[20] *Baltimore & Ohio R.R.* v. *Interstate Commerce Commission*, 221 U.S. 612 (1911); *Cf. Wilson* v. *United States*, 221 U.S. 361 (1911).

[21] Interstate Commerce Act, pt. I, § 7–9, 63 Stat. 486, 49 U.S.C. § 20 (1949). Section 20 sets out the type of reports that may be required by the Commission to be kept and which the Commission can inspect.

[22] 201 U.S. 43 (1906). Defendant Hale was subpenaed to appear before a grand jury to testify on the conduct of his company in relation to the anti-trust laws. Hale refused to testify or to produce his books and papers. In a seven to two decision, Mr. Justice Brown pronounced the personal nature of the privilege against self-incrimination. In addition, a corporation as a creature of the state, depending on the state for its existence, must submit to an inquiry when the state sought to elicit whether or not the corporation had violated its privileged status bestowed by the state. *Cf. Foster* v. *United States*, 265 F. 2d 183 (2d Cir. 1959), cert. denied 360 U.S. 912 (1959) wherein the taxpayer and his bank were not allowed to raise the fourth amendment as protection against examination of the bank's records pertaining to the taxpayer; *Zimmerman* v. *Wilson*, 105 F. 2d 583 (3rd Cir. 1939).

[23] *Federal Trade Commission* v. *American Tobacco Co.*, 264 U.S. 298 (1924).

[24] Federal Trade Commission Act § 9, 38 Stat. 722, 15 U.S.C. § 49 (1914).

[25] *Federal Trade Commission* v. *American Tobacco Co.*, supra note 23 at 305, 306.

[26] 327 U.S. 186 (1946).

[27] The decision was handed down 5 years after *United States* v. *Darby*, 312 U.S. 100 (1941) which held that Congress can require records to be maintained as a means of enforcing an otherwise invalid law. The records were kept pursuant to the Fair Labor Standards Act of 1938.

[28] 52 Stat. 1060, 29 U.S.C. §§ 201 et seq. (1938).

[29] Mr. Justice Rutledge, writing for the majority, did caution against excessive inquiries by administrative agencies: "Officious examination can be expensive, so much so, that it eats up men's substance. It can be time consuming, clogging the processes of business. It can become persecution when carried beyond reason." *Oklahoma Press Publishing Co.* v. *Walling*, supra note 26 at 213.

[30] *Oklahoma Press Publishing Co.* v. *Walling*, supra note 26 at 218.

[31] Id. at 219.

[32] *Davis* v. *United States*, 28 U.S. 582 (1946). Cf. *Harris* v. *United States*, 331 U.S. 145, rehearing denied, 331 U.S. 867 (1947). The Harris case involved the illegal possession of draft cards which were discovered by FBI agents while conducting a general search of defendant's room pursuant to arrest warrants for forgery.

[33] The legality of the seizure rose because the inspectors did not possess a search warrant and the disputed evidence of coercion of the defendant in opening the door to the back room.

Mr. Justice Frankfurter in a vigorous dissent denounced the principle of public records as an exception to constitutional guarantees.

"Merely because there may be the duty to make documents available for litigation does not mean that police officers may forcibly or fraudulently obtain them. This protection of the right to be let alone, except under responsible judicial compulsion, is precisely what the fourth amendment meant to express and to safeguard." [34]

Two years after the decision on public records, administrative agencies were granted even greater power to inquire into private records. *Shapiro* v. *United States*,[35] denied the protection of the fifth amendment against self-incrimination for those papers, books, and records which were required to be kept to show compliance with lawful regulations.

Shapiro had his sales records subpenaed by the Office of Price Administration pursuant to the Emergency Price Control Act.[36] Shapiro complied with the subpena on the understanding that he would be granted immunity for so doing. The records were later used to convict him of violations of the regulations issued pursuant to the act. The Supreme Court split 5 to 4 to uphold its public records doctrine. In effect the decision allowed Congress, by simple legislative fiat to turn customarily private records into public records and thereby place them outside the protection of the fifth amendment.

Mr. Justice Frankfurter once again dissented, joined by Justices Jackson, Murphy, and Rutledge. Speaking against what he viewed as the majority's abdication of fifth amendment guarantees, Justice Frankfurter wrote:

"The Court has misconstrued the fifth amendment by narrowing the range and scope of the protection it was intended to afford. The privilege against self-incrimination is, after all 'as broad as the mischief against which it seeks to guard' * * * If Congress by the easy device of requiring a man to keep the private papers he has customarily kept can render such papers public and nonprivileged, there is little left to either the right of privacy or the constitutional privilege." [37]

In *United States* v. *Kahringer*, the Court held that it does not violate the fifth amendment to require persons to register that they were engaged in gambling.[38] The Court relied on *United States* v. *Sullivan* which held it no violation of the fifth amendment to be required to file an income tax return.[39]

Justices Black, Douglas, and Frankfurter dissented in Kahringer.[40] The statutory provision of the Internal Revenue Code simply amounted to the coercion of confessions and a squeeze play that "put a man in Federal prison if he refuses to confess himself into a State prison." [41]

Perhaps the broadest power of access to individuals' records lies in the Internal Revenue Service's summons power.[42] In 1964, the Supreme Court ascribed the inquisitorial nature of the grand jury to the investigations made by IRS agents with the aid of their summons.[43] The Court relied on its decision in *United States* v. *Morton Salt Co.*, handed down 14 years earlier.[44]

"In *United States* v. *Morton Salt Co.*, the Court said of the Federal Trade Commission, 'It has a power of inquisition, if one chooses to call it that, which is not derived from the judicial function. It is more analogous to the grand jury, which does not depend on suspicion that the law is being violated or just because it wants assurance it is not.' While the power of the Commissioner of the Internal Revenue Service derives from a different body of statutes, we do not think the analogies to other agency situations are without force when the scope of the Commissioner's power is called in question." [45]

The summons power extends not only to the taxpayer under investigation, but also to third parties.[46] For example, the IRS may serve its summons on the taxpayer's bank or broker or insurance company.[47] Moreover, neither the taxpayer nor his bank can invoke the fourth or fifth amendments as defense to the summons.[48] Since the records are not the property of the taxpayer he cannot object to their inspection and seizure. Since the privileges of these amendments are personal, the banks, brokers, and insurance firms cannot invoke the amendments for the taxpayer. By this neat proposition, every person who files any sort of financial record in an effort to conduct his affairs is potentially incriminating himself and waiving his right to be secure in his person and effects.

The problem created by access to private records by Government agents is not such as to admit of any easy solution. To deny the Government access in all instances would undoubtedly impair, if not destroy, the operation of certain Government programs. Yet, on the other hand, to invest inquisitorial powers in every Federal agent or agency or even in only a few, creates grave threats to the full and meaningful realization of constitutional guarantees. Grand juries are usually composed of from 12 to 20 members, the clerk of the court at the instance of the grand jurors issues the subpena, and all jurors consider the evidence obtained by the subpena. Disinterest, impartiality, and variety of opinion are more easily checked and preserved in the case of grand juries. In contast, administrative summons or orders to produce records may be issued by a variety of subordinate officials and even investigating officers.[49] No independent scrutiny is made of the summons or other process until ample opportunity has been afforded to scare the information out of the person or gain access to the information due to the ignorance of the person or the inability to hire a lawyer and fight the case in court. Even if the person chooses to go to court, the decisions are generally in favor of liberal construction of the statutory powers.

In regard to the Internal Revenue summons, while the party may refuse to disclose his records on the grounds that they might incriminate him,[50] he is not relieved from the duty to bring his records to the place designated in the summons.[51] If the taxpayer wishes to cooperate, he runs the risk of waiving his constitutional privilege. Further there is no safeguard against the unscrupulous agent who may disguise his criminal investigation under the guise of a routine civil check. The citizen is thus duped into giving evidence against himself all the while believing he is simply doing his duty as an American citizen in cooperating with his government. Short of refusing a demand for records and being branded with the stigma of being uncooperative, there is little anyone can do to protect himself against excessive demands of overzealous agents.[52]

In conclusion, this whole area of governmental access to private records should be reviewed. Congress should limit the power it has granted to all sorts of people within the Federal bureaucracy. The Supreme Court with its assiduous protection of the guarantees of other provisions of the Bill of Rights [53] has totally ignored the danger presented by the excessive and abusive use of inquisitorial investigative powers it has allowed to Federal agents and agencies. Evidence is being presented to the Congress, at this writing, documenting the abuses of power perpetrated by Federal agents in their zeal to make a case. Some of these abuses have totally disregarded not only constitutional rights of citizens, but have brazenly ignored the criminal laws and limitations upon the agencies' jurisdiction imposed by Congress.[54]

"The people's desire to cooperate with the enforcement of a statute is in direct proportion to the respect for individual rights shown in the enforcement process. Liberty is too priceless to be forfeited through the zeal of an administrative agent." [55]

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[34] *Davis* v. *United States*, supra note 32 at 596 (dissenting opinion).

[35] *Shapiro* v. *United States*, 335 U.S. 1 (1948).

[36] Emergency Price Control Act, ch. 361, §§ 101 et seq., 61 Stat. 610 (1947).

[37] *Shapiro* v. *United States*, supra note 35 to 70.

[38] 345 U.S. 22 (1953).

[39] 274 U.S. 259 (1927). However the Court did say that persons could refuse to answer any incriminating questions in the return.

[40] *United States* v. *Kahringer*, supra note 38 to 36.

[41] Id. at 37.

[42] Internal Revenue Code of 1954 § 7602 et seq.

[43] *United States* v. *Powell*, 379 U.S. 48 (1964).

[44] 338 U.S. 633 (1950); Cf. *Endicott Johnson Corporation* v. *Perkins*, 317 U.S. 501. (1943).

[45] *United States* v. *Powell*, supra note 43 at 57.

[46] *Sale* v. *United States*, 228 F. 2d 682 (8th Cir. 1956), cert. denied, 350 U.S. 1006 (1956); *Hubner* v. *Tucker*, 245 F. 2d 35 (9th Cir. 1957); *Local 174, International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America* v. *United States*, 240 F. 2d 387 (9th Cir. 1956).

[47] *DeMasters* v. *Arend*, 313 F. 2d 79 (9th Cir. 1963), cert. denied, 375 U.S. 936 (1963); *First National City Bank of New York* v. *Internal Revenue Service*, 271 F. 2d 616 (2d Cir. 1959), cert. denied, 361 U.S. 948, rehearing denied, 362 U.S. 906 (1959).

[48] *Lovette* v. *United States*, 230 F. 2d 263 (5th Cir. 1956); Compare, *McMann* v. *Securities and Exchange Commission*, 87 F. 2d 377 (2d Cir. 1936), cert. denied, *McMann* v. *Engle*, 301 U.S. 684 (1936); *Newfield* v. *Ryan*, 91 F. 2d 700 (2d Cir. 1938); cert. denied, 302 U.S. 729 (1938). See also *Zimmerman* v. *Wilson*, 81 F. 2d 847 (3d Cir. 1931) and *Zimmerman* v. *Wilson*, 105 F. 2d 583 (3d Cir. 1939).

[49] Internal Revenue Code of 1954 § 7601; Treasury Regulation § 301.7601–1(c) (1954); Interstate Commerce Act, part I, § 8, 63 Stat. 486, 49 U.S.C. § 20(5) (1949).

[50] *Blau* v. *United States*, 340 U.S. 159 (1950); *Bauschor* v. *United States*, 316 F. 2d 451 (8th Cir. 1963); *Brody* v. *United States*, 243 F. 2d 378 (1st Cir. 1957), cert. denied, 354 U.S. 923 (1957).

[51] Internal Revenue Code of 1954 §§ 7604. 7605; *Chapman* v. *Goodman*, 319 F. 802 (9th Cir. 1955).

[52] *First National Bank of Mobile* v. *United States*, 160 F. 2d 532 (5th Cir. 1947) (IRS agents attempted to force the bank to reproduce over 6,000,000 items on its Recordax machine); *Martin* v. *Chandis Securities*, 33 F. Supp. 478 (S.D. Calif. 7940).

[53] *Griswold* v. *Connecticut*, 33 U.S.L. Week 4587 (U.S. June 7, 1965) (No. 496); *Lamont* v. *Gronouski*, 33 U.S.L. Week 4489 (U.S. May 24, 1965) (Nos. 491 and 848); *Jacobellis* v. *Ohio*, 378 U.S. 184 (1964); *A Quantity of Books* v. *Kansas*, 378 U.S. 205 (1964); *Gibson* v. *Florida Legislative Committee*, 372 U.S. 539 (1963).

[54] Hearings on invasions of privacy before the Subcommittee on Administrative Practice and Procedure of the Senate Committee on the Judiciary, 89th Cong., 1st Sess., (1965).

[55] *Oklahoma Press Publishing Co.* v. *Walling*, 327 U.S. 186 (*946) (dissenting opinion).

RESOLUTION ADOPTED BY THE NEW JERSEY CHAPTER OF THE FBI NATIONAL ACADEMY ASSOCIATES

Mr. CASE. Mr. President, I ask unanimous consent to insert in the RECORD a resolution of the New Jersey chapter of the FBI National Academy Associates, together with the text of the letter transmitting the resolution to me.

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

FBI NATIONAL ACADEMY ASSOCIATES, NEW JERSEY CHAPTER,
October 25, 1965.

Hon. CLIFFORD P. CASE,
U.S. Senate Office Building,
Washington, D.C.

DEAR SENATOR CASE: Enclosed copy of resolution submitted this date to Hon. J. Edgar Hoover, Director of the Federal Bureau of Investigation on behalf of the FBI National Academy Associates, New Jersey Chapter.

As one of the representatives of one of the many municipal police departments of the State of New Jersey, we are proud of our association with the Federal Bureau of Investigation and will be fully aware at all times of the pride and responsibility of the police profession to which we are all dedicated.

Yours respectfully,
ROBERT J. MCGONIGEL,
President.

RESOLUTION OF FBI NATIONAL ACADEMY ASSOCIATES, NEW JERSEY CHAPTER, OCTOBER 22, 1965

Whereas the New Jersey chapter, FBI National Academy Associates had the honor of holding their annual retraining seminar at the FBI National Academy, Quantico, Va., and Washington, D.C., on October 17, 18, 19, and 20, 1965, through the courtesy of John Edgar Hoover, Director of the Federal Bureau of Investigation; and

Whereas it was made possible by Director Hoover to have Special Agent in Charge Ralph W. Bachman and Special Agent James J. Tracey, of the Newark field office, present with the New Jersey graduates during this retraining program to assist in facilitating the attainment of our objectives; and

Whereas through the courtesies and cooperation of Director J. Edgar Hoover, the members of the New Jersey chapter, FBI National Academy Associates, were afforded an opportunity to meet with the Director during this retraining seminar, who saw fit to take time out from his arduous and numerous duties to extend his greetings to us: Therefore, be it

Resolved, That we, the members of the New Jersey chapter of the FBI National Academy Associates would like to take this opportunity to express to Director Hoover our sincere thanks and appreciation for making the National Academy facilities available to us and for his cooperation in making it possible for Mr. Bachman and Mr. Tracey to attend this training program with us. We feel certain that the ideas expressed by the presence of the Bureau executives, Bureau officials, and various lecturers will be of great value to both the FBI and the law enforcement agencies which we represent.

LT. ROBERT J. MCGONIGAL,
President.

"LET YOUR LIGHT SO SHINE"—A SERMON

Mr. MCGEE. Mr. President, we hear a great deal these days about mediocrity and the passion of people to conform to the general level of attainment, to shun causes and repress their emotions. In a sermon preached recently in my own church in Laramie, Wyo., the Union Presbyterian Church, Rev. James H. Glassman, the pastor, pleaded with his congregation to let their light shine.

Reverend Glassman spoke mostly in terms of religion, but his message is equally valid in all walks of life, it seems to me. Indeed, I am deeply honored in that my own words are quoted in this excellent sermon, which presents a message all of us in this body, and all Americans should well heed. I ask unanimous consent that Reverend Glassman's sermon, "Let Your Light So Shine," be printed in the RECORD.

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

LET YOUR LIGHT SO SHINE

(By James H. Glassman)

One of the common objections to the institutionalized form of religion as we know it in our day is that it lends itself so readily to hypocrisy. As religion organizes its fellowship into churches, its thought into creeds, its worship into rituals, these outward exhibitions and professions of religion can easily be assumed by anyone. So someone says, "You go through the formality of joining the church; you subscribe to the sacraments; you recite the creeds; you observe the customs; you do and say what you are supposed to do and say; and what have you done? What have you said?" Well, what have we done? We have put ourselves at the disposal of every conceivable implement of seeming to be religious, indeed, perhaps of seeming more religious than we really are. In consequence we often hear it said, "Hypocrites in the church. What I look for from the pulpit and the people is sincerity and genuineness." As if to say dignity and formality usually are insincere.

Admittedly there are hypocrites in the church. Maybe we are all hypocrites of a sort. From the days of the Hebrew prophets to Jesus' time and onward we have been told in effect: Be genuine. Be true. Do what you say. Practice what you preach. That runs all the way through the Sacred Book.

But that is not the whole story of hypocrisy and its meaning. The New Testament meaning of the word that is translated hypocrite or hypocrisy is "to act," "to play a role." Based upon Greek usage we could say that an actor, Hollywood or otherwise, is a hypocrite. But now see this, while it is possible to act, to play a role, to pretend to be more Christian than we are, it is also possible to act, to play a role, to pretend to be less religious than we really are. It seems to me there are hypocrites today who are not only making a pretense of being religious, but also those who are making a pretense of not being religious at all. There are two sides to the coin: those who make a high profession of faith they are not living up to, and those, increasing in number, it seems to me, who are not advertising anything in their show windows they do not have on their shelves, which is to say, they have so reduced religious profession to such a negligible quantity that there is little to live up to; and yet, deep within themselves have religious convictions they are not showing. Between the two I am not sure which is the most hypocritical. In any event I want to put my finger on the latter this morning, because we may not have recognized this type of role playing for what it is.

The principal of a leading boys' school once addressed a group of freshmen entering Harvard. In effect, he said this: "If I were speaking on any other campus I probably would not say what I am going to say to you. But I know Harvard. I am a Harvard man myself and I understand the sophisticated atmosphere into which you freshmen now are venturing, so that while on any other campus I might say to you, "Be as religious as you seem. I say to you, seem as religious as you are."

The sophisticated atmosphere of Harvard a half century ago has become general today. What that educator said at Harvard then could as appropriately be said at Wyoming today. We distrust pretensions in religion. We lean over backward to be fair and objective. We are reticent about wearing our hearts religiously upon our sleeves. One thing we do not want to be is emotional about religion. Strong enthusiasm is taboo.

But is this altogether honest? We are incurably religious by nature and instinctively emotional. Yesterday there was a football game played here to the great excitement of all who attended and others who listened. It would have been a strange sight to have seen someone sitting in the stands passively rooting for Wyoming when most of the fans were on their feet and shouting at the top of their voices: "Go Cowboys. Go." We get excited. We are instinctively emotional and this is a natural response. We are not averse to cheerleaders and others playing upon our emotions and any coach will tell you that it is the emotional, the psychological preparation of his players for the game that is important. If they are not ready emotionally there is litle hope for success. Many teams have done way beyond their physical capacities because they were ready, laid hold upon and driven by something beyond themselves.

Carry the thought further. Life itself is the result of the interchange of emotional passion without which, male with female, there is no life. Do not misunderstand me. I am not appealing for license. I am not appealing for fanaticism, or enthusiasm carried to excess, but I am appealing for honesty when it comes to that which is deepest within mankind.

Burl Ives popularized a song a few years ago that went in part this way:

"A little bitty tear let me down,
Spoiled my act as a clown,
I had it made up not to make a frown,
But a little bitty tear let me down."

We are emotional creatures. From this there is no escape. If you do not like the hypocrite who is pretending to be something he is not, do you dislike equally the hypocrite who is pretending not to be something he instinctively is?

There are two things Jesus could not endure: cruelty and sham. We are familiar with those passages where he assailed sham, all the way from the mild ones like, "Sound not a trumpet before thee, as the hypocrites do in the synagogues and in the streets, that they may have glory of men," to the terrible ones like, "whited sepulchres, which outwardly appear beautiful, but inwardly are full of dead men's bones, and of all uncleanness."

So someone says, that is what hypocrisy meant to Jesus—trying to appear better than we are. Yes, it did. But listen to him on the other side of the question: "Neither do men light a candle, and put it under a bushel, but on a candlestick; and it giveth light unto all that are in the house. Let your light so shine before men, that they may see your good works." Let your light so shine that others might see. To have light and keep it dark, to have some radiance in you though it be but a slender flame, and hide it, to refuse to set it out where a generation that so desperately needs light can get its full effect—that too is hypocrisy.

A number of years ago, I talked with two girls in a church I formerly served. These girls were intelligent. They were straight "A" students and it surprised me when on this occasion they made the pretense before the rest of the young people of being only average. I knew something about their work. They had no "B's" or "C's". They had "A's" in everything and yet they pretended they were "C" pupils. Later I asked them why they did this and they said: "Well, it just isn't the thing anymore to be above the others. You're out if you're up here. You've got to be down here with the rest of them." They wanted to be a part of the gang so they graded themselves down accordingly. For this and other reasons we sometimes try to appear worse than we are.

Some of you have heard the song, "Paper tiger, your bark is much worse than your bite." I suppose we all like to be tigers. George Raft, whose image in the movies has been through the years, that of the tough guy, recently broke down in court and cried because the judge did not send him to prison for tax evasion. Who among us has not tried to appear to be something he really is not.

On the other hand, Jesus would tell us, "Let your light shine." Be careful about grading yourself down—your opinions, your skills, your religion.

There is something to be said for people who succeed in publishing their light rather than their darkness, their faith rather than their doubts, their courage rather than their fears, their best rather than their worst. In a time when we are instinctively negative in our approach to life we could use a little more positive thinking, or, to use the words of Senator GALE MCGEE, who is a member of this church, Americans should "stop being against everything and try to be for some things."

Dr. Fosdick tells of a British captain in the trenches during World War I who, when the zero hour struck and he led his men to the attack, stepped forward with a light mackintosh over his left arm and an ordinary walking stick in his right hand, and, as nonchalantly as though he were starting for a stroll, beckoned his men to follow. Was he frightened? He was petrified with fear. Yet he seemed as calm and unafraid as though "no man's land" were Picadilly Circus. One could say he was a hypocrite of the usual sort then, pretending to be strong and courageous when down underneath he was afraid. And yet, that he had found the capacity to go down into that strange medley which is oneself, with its mingled qualities of good and evil, faith and doubt, courage and weakness, and let the best rather than the worst show itself, to me that is letting one's light shine.

What shall we say further, about all the men and women through the ages who, like that British captain, appeared better than they were, and yet at the same time allowed what was also there to shine out before men. Think of some of them: blind people, who must have had terrible times inside themselves with bafflement and rebellion, but who so kept that to themselves and let their radiance and hopefulness and undiscourageable faith appear that we have gone to them for help and cheer; bereaved people whose real life stopped with the death of another, and yet, translating their experience into sympathy and insight and understanding have been able to inspire and encourage others; or poor people, unemployed, humiliated, and tired, who have been able to go on against overwhelming odds and even smile through the shadows.

There is enough of the worst in the world, cowardice and despair, fear and doubt, anti-Christ and paganism, so that if a man does have any light, it seems to me he would do well to let it shine.

My heart goes out especially to you young people as the rapid changes of our day add confusion and bewilderment to the possibility of asserting a positive and sincere Christian faith. The impressions of our age are largely negative. "We don't know." "We're not sure." "We doubt that it is so." It is far easier to "knock down" and emphasize the things we do not believe. For many of us, we have talked our way out of any kind of vital faith. With many people to be irreligious is in. Yet deep within us, too, are reservoirs of conviction that are more than doubt, which show themselves in bull sessions, at the coffee house, and in other ways. Clearly there is something deeper. Religion is not altogether lost. And while one may not believe everything, he ought at least to say as much as he does believe.

I wish that here this morning somebody's candle would come out from under a bushel and be set upon the stand. Be sure of this: what we do not express tends to die and what we do express tends to live. This is true of music, writing, sports, character, love, any gift or talent. If we minimize the force of expression we will in time lose the power to express, the skill and refinement of play, the capacity to love. If it is not expressed it tends to die. Put a candle under a bushel and keep it there too long and it will go out for lack of oxygen.

Today, as ever, we need light. Long ago Christ came into a generation which needed light. Under his influence fell a little group of ordinary men persuaded by him to take such light as they had and put it on a candlestick, and with what revolutionary consequences. Can we do less than this in our generation and in this our day?

A MATTER OF PRINCIPLE—THE ANTIPOVERTY PROGRAM

Mr. SIMPSON. Mr. President, the director of vocational education for the State of Ohio, Dr. Byrl R. Shoemaker, has authored an articulate and timely warning on the dangers along the path which lies ahead under education programs that erode the powers and prerogatives of the States in favor of the Federal Government.

The article, "A Matter of Principle," which appeared in the October 1965 American Vocational Journal, gives us Dr. Shoemaker's observation that:

> The answer (to upgrading unfortunates) lies in enabling people to achieve for themselves a part in society in which they can earn their share of the modern benefits.

In regard to the relationship of the States and the Federal Government under the new outpouring of social legislation, Dr. Shoemaker observes that:

> There is little evidence that State and local educational agencies cannot or will not do the job of social and educational development if funds adequate for the problem at hand are provided to them. Some may argue that it's the end that counts, not the means. It is my contention, however, that the end is a product of the means, and that the end product of any massive movement of the Federal Government in the direct operation or control of programs in the field of education can lead to the possible enslavement of the minds of men. It's matter of principle.

I ask, Mr. President, that Dr. Shoemaker's article, which was brought to my attention by Wyoming's superintendent of public instruction, Dr. Cecil Shaw, be printed in the CONGRESSIONAL RECORD with my remarks.

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

A MATTER OF PRINCIPLE

(By Byrl R. Shoemaker)

Today, we face problems common to all of the great civilizations that have existed down through the centuries. I believe it is fair to state that no civilization has ever solved the problems which confront us. I refer to such problems as increased welfare rolls; the growth in the number of people who, through lack of education and lack of training, do not fit into the changing world; the growing ranks who have become wards of the state through aid and assistance, and the increased numbers who have, perhaps, lost the ability or desire to participate in the productive element of our life.

Moreover, the problems of this civilization have been compounded by the rate of change through industrialization and automation.

For the first time in the history of mankind, a massive effort is being made to eradicate poverty at all levels, both within our Nation and throughout the world. Our leaders in Government are taking seriously the Biblical saying, "You are your brother's keeper" and they are mindful of the poetic lines, "Ask not for whom the bell tolls, it tolls for thee"—words which point up the fact that the advantages of our modern technological society cannot be reserved for one part of the population and unattainable for another. This is true even though part of the population may not have the educational background, the drives, or goal structure to desire to participate in the benefits.

HANDOUTS NOT THE ANSWER

As attempts are made to upgrade the less fortunate persons in our society, it becomes more and more obvious that the answer is not the distribution of funds for food, clothing and shelter. The answer lies in enabling people to achieve for themselves a part in society in which they can earn their share of the modern benefits. Education, therefore, becomes the means of providing people with a ladder to climb out of their area of poverty and frustration. Education is a vehicle to a better way of life, but impeded in many cases by the loss of desire on the part of people to invest themselves in the educational process.

I believe that there is no question of the good intent of the Great Society or that the goals are sound. Legislation provided in the Vocational Education Act of 1963, the Manpower Development and Training Act, the Appalachian Act, the Economic Opportunity Act of 1964, and the Elementary and Secondary Education Act, passed in this session of Congress, are all intended to eradicate the ills of a great civilization.

Three of these acts, the Vocational Education Act of 1963, the Appalachian Act, and the new Elementary and Secondary Education Act, recognize clearly the leadership role of the State and local educational agencies in the field of education. The Manpower Revelopment and Training Act also recognizes this role, but for the first time imposes Federal approval upon individual educational programs operated within the States. The Appalachian Act and the Economic Opportunity Act of 1964 are concerned only in part with the area of education.

TRADITIONAL LINES IGNORED

The Economic Opportunity Act clearly establishes a direct relationship between the

local community and Federal Government, ignoring the position of existing agencies at the State level. It is recognized that very little of the Economic Opportunity Act is concerned with the educational field; however, such programs as the Job Corps, the Neighborhood Youth Corps, the work experience program, and the work-study program have relationships with the field of education. The Economic Opportunity Act is the act which most clearly violates the accepted principle that State and local agencies should be developed, improved, and encouraged to offer educational services to youth and adults.

The greatest concern among vocational educators in relation to the Economic Opportunity Act centers on the Job Corps activities. Clearly, the Job Corps camps involved with skill training are in competition with efforts to expand vocational education programs within the States.

While such camps may not exist at the present time under State and local control, an experimental residential job training center at Mahoning Valley Air Force Base in Ohio has proved that States, with assistance from manpower development and training funds, can operate such programs effectively. In many different ways, the State and local communities have proved their ability to organize and operate sound vocational education programs.

INTERAGENCY COMPETITION

It is my belief that the Job Corps camps should be organized through the existing-Federal-State-local relationships. I see a possible conflict between the Neighborhood Youth Corps and the manpower development and training classes growing from the fact that the money earned in the Youth Corps exceeds the sum that a youth can receive while enrolled in manpower development and training classes to learn a skill. Why should youth become involved in an educational program to prepare them for future work, when they can earn more money now through their efforts in a Neighborhood Youth Corps program? In recent months, as agencies have begun to compete for available youth, we have seen approved manpower development and training programs start without the full enrollment authorized.

Technically, there is every possibility for a cooperative effort between such agencies, but no real basis for such cooperation when the Manpower Development and Training Act is administered through the State and local levels and the Economic Opportunity Act is administered by the local community in a direct relationship with the Federal Government.

The intent here is not a long harangue about the existing problems between vocational education at the State and local levels and educational activities fostered through Federal and local relationships, for most of the acts are too new for any history of continuing problems or conflicts to become evident. But I am concerned that we examine any legislation or any program, no matter how well-meaning, in light of the future effect of such legislation upon our total educational program.

A LOOK AT THE RECORD

Federal agencies may at times be impatient with the speed at which States move and operate, and they may sometimes feel that the States cannot or will not organize to do the job. But, let's look at the record in terms of the ability of the States to accept a challenge and move with this challenge to solve a problem.

The development of land grant colleges in our Nation was the result of certainly one of our finest Federal-State efforts. These land grant colleges have stimulated a growth of education at the collegiate level that has been responsive to the changing educational needs wrought by technological change and to the need for expansion to meet the demands of an increased population.

The Vocational Education Acts that have been passed since 1918, including the Smith-Hughes, George-Barden Acts, and the new Vocational Education Act of 1963, have demonstrated the effectiveness of a sound Federal-State-local relationship, particularly when one recognizes that, in the attempt to achieve the goals of the act of 1963, Federal funds invested in vocational education throughout the States are matched in a ratio of more than four State and local dollars to one Federal dollar. The growth of vocational and technical education for youth and adults in the States has closely paralleled the availability of Federal dollars to stimulate additional expenditures within the States.

A study of the war production training activities of the public schools would point to their ability to adapt to an immediate need and to mount a massive effort when dollars are made available. The Federal-State-local relationships that served vocational education so well were the basis for the mounting of an effort which saw educational programs operating, in many cases, around the clock. The success of this effort can best be judged by the size of the arsenal that grew out of our increased industrial production.

STATE-CONTROLLED EXPERIMENT

Following the war, a Federal-State-local relationship, with the control of educational activities resting with the States, again proved successful when the massive veterans training and educational program was initiated. This program was perhaps the greatest educational experiment ever conducted in the history of the world. Approximately $19 billion was spent for the education and training of about 10 million veterans of World War II and the Korean conflict. I believe that, without question, this program accounts for our economic growth and success following World War II, and I would point out again that this effort, extending over a number of years, expending $19 billion, serving 10 million people, was carried on under the direction of State and local agencies.

There is no question of goals; there is no question of motives, nor of the importance of education in achieving the goals of a Great Society. The really important problems we face in our life are never black or white. Too often, the problem is a choice between two rights. It is obvious that the need is great and that immediate action is important. It is also obvious that working with 50 States will not simplify the task.

The cost may be too great, however, if we seek to achieve these goals through direct Federal intervention into activities which should be channeled so as to strengthen activities of existing agencies in the States. The cost will be too great if, in the process, we kill State initiative; if we destroy existing organizations planned to serve similar needs by establishing competitive organizations through direct Federal-local relationships; if we teach our communities to look first to Washington; if we destroy the insulation of education from Federal control.

MOTIVES NOT IN QUESTION

There is absolutely no question that the present leadership in the Federal Government is working zealously to overcome the ills of our civilization. We would only plead that, in this massive effort, the Federal Government not make inroads into the field of education which could be used by future governmental groups to open a way into men's minds for less worthy purposes.

There is little evidence that State and local educational agencies cannot or will not do the job of social and educational development if funds adequate for the problem at hand are provided to them. Some may argue that it's the end that counts, not the means. It is my contention, however, that the end is a product of the means, and that the end product of any massive movement of the Federal Government in the direct operation or control of programs in the field of education can lead to the possible enslavement of the minds of men. It's a matter of principle.

TOWARD COEXISTENCE

Mr. LAUSCHE. Mr. President, I ask unanimous consent to have printed in the RECORD at this point in my remarks a letter to the editor, entitled "Toward Coexistence," written by Cyril A. Zebot, professor of economics, Georgetown University in Washington, D.C.

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

[From the Washington Post, Jan. 13, 1966]

TOWARD COEXISTENCE

Your editorial "Communist Liberation" of December 29, refuting a letter on the same subject by a visiting Soviet political commentator, exposed the mythological basis, aggressive substance, and deceptive appearance of this newest in the changing sequence of Communist schemes for its further territorial expansion. Has not communism changed since Stalin?

Three changes distinguish the contemporary communism from its predecessor: the Khrushchev doctrine of peaceful coexistence, the evolving polycentric structure of the Socialist camp (yesterday's Soviet bloc) and, most recently, the contagious eagerness to reform Communist economic systems.

Khrushchev's doctrine of peaceful coexistence has been hailed as a radical departure from Stalinism in Soviet international relations. Yet, it may better be described as an updated version of the capitalist encirclement doctrine of Stalin's origin.

By explicitly including into the concept of peaceful coexistence the deceptive idea of wars of national liberation, Khrushchev somewhat embellished the Stalinist practice or threat of direct aggression but, in exchange, increased the strategy options for further worldwide attempts at Communist takeover. The new polycentric structure of the Socialist camp has added further flexibility to this policy.

The strategy of wars of national liberation has been devised for use against weak governments in underdeveloped countries. But that covers most of the world. In the pilot case of South Vietnam, the strategy has so far failed only because the outside Communist intervention in organization, arms, supplies, and men has been contained by direct American engagement.

If there still is honest disagreement concerning our policy in Vietnam, it cannot any longer be about the real nature of that war of national liberation. Can there be an informed American who does not know that the Communists have yet to invent competitive elections for any public decision, let alone for national self-determination? Americans who still oppose our stand in Vietnam can honestly do so only on the supposition that Vietnam is not the right place to stop Communist aggression. Which is to say that this new issue in fact reverts to the old one: where to draw the line?

Somewhere the line must be drawn—or we will invite ever more wars of national libera-

tion. But if we stand firm where the real line is, there is now a new hope that the decentralizing tendencies, not alone in relations among the various Communist governments, but within their domestic systems as well, will gradually so tame communism itself that it may indeed cease to be a danger to world peace.

It has taken European Communist regimes 20 years since World War II to succumb to the evolving forces of decentralization and humanization within their own social systems. Outside Europe it will take longer. And this is another reason why it is in the interest of world peace that further Communist aggression be stopped lest it set back the incipient transition to a better and freer life inside the Communist-dominated countries.

Only in this way will our pluralistic world enjoy a truly peaceful coexistence.

CYRIL A. ZEBOT,
Professor of Economics, Georgetown University.
WASHINGTON.

GOOD TIDINGS AT CHRISTMAS

Mr. STENNIS. Mr. President, each year during the Christmas season several newspapers throughout our country print a guest editorial written by Mrs. Virginia Weldon Kelly. It was my privilege this year to receive a copy of Mrs. Kelly's special message, which appeared in the Press Telegram of Long Beach, Calif., and other newspapers on December 24, 1965. The splendid and timely message it brings is of such special significance to us all that I believe each Member of Congress and the people of the Nation should have the opportunity to read it. I ask unanimous consent that Mrs. Kelly's editorial be printed in the RECORD at the end of my remarks.

If the thoughts expressed by Mrs. Kelly could pervade all nations, we could truly live in a world of peace and in harmony with our fellow man. I highly commend Mrs. Kelly for her excellent editorial and the contribution she has made through this, as well as many of her other writings.

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

GOOD TIDINGS

As additional revelation of God's love, angels announced Jesus' birth as good tidings of great joy.

Despite His earthly agony, Jesus preached joy and hope as did Isaiah, David, and other prophets.

Jesus said that man must love God with all his heart, soul, and mind. Only by total love can man receive grace, faith, and courage to face life and eternity joyously.

That is why early Christians viewed dejection as the eighth deadly sin, because it signifies separation from God.

In every era, many have cried, "Lord help Thou my unbelief."

In the 15th century, Thomas Kempis said faith comes from grace, the supernatural light, God's special gift, the pledge of eternal salvation. He said all men experience times of spiritual dryness when recognition of God's presence must be sought by humble prayer.

In the Middle Ages, spiritual alienation or acedia was widespread, with loss of faith, morbid introspection, and estrangement from God and man. The only cure was prayer.

In the last two centuries, sufferers from this malaise have seen no hope, for they believe spiritual alienation is inherent in modern society. Nietsche said, "God is dead."

Theologian Thomas J. J. Altizer, Emory University, asserts, "God has died in our time, in our history, in our existence."

Fortunately, others have disagreed. Dr. Reinhold Niebuhr sees God as the ground of being, and faith as trust in human existence. Dr. Paul Tillich said salvation's key is the courage to be faced by dread possibilities.

Admonishing us to put on a heart of compassion, kindness, and long suffering, but above all, to put on love, St. Paul said, "Rejoice in the Lord always."

Our Christmas wish is that, knowing God's presence, you will think Jesus' thoughts, speak His words, emulate His deeds, that He may set your heart on fire to the glory of God and the joy of all men.

JUNK AUTO BURIAL FUND

Mr. DOUGLAS. Mr. President, the able Senator from West Virginia [Mr. RANDOLPH] has recently commented succinctly on some of the problems and challenges associated with beautifying our highways. In remarks before the annual convention of the Institute of Scrap Iron and Steel, Senator RANDOLPH referred to the problems posed by the ugly accumulation of junked cars throughout the Nation, and endorsed my proposal for the establishment of an auto burial and beautification fund. Such a fund would make the effective disposal of the growing number of worn and discarded automobiles economically feasible. I want to thank the distinguished Senator for his pledge of support for my proposal when it is considered during the current session of Congress, and for the most conscientious and able manner in which his subcommittee considered my auto burial proposal during hearings on the Highway Beautification Act of 1965.

Mr. President, I ask unanimous consent that the remarks of Senator JENNINGS RANDOLPH be printed in the RECORD.

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

SPEECH BY SENATOR JENNINGS RANDOLPH, INSTITUTE OF SCRAP IRON & STEEL CONVENTION, JANUARY 11, 1966

This opportunity is appreciated to counsel with you on matters of mutual interest, and I shall speak briefly on two or three points without being repetitious of prior remarks.

First, however, I commend your industry and your representatives in Washington for the cooperative and positive approach adopted in relation to the Senate Public Works Committee during our handling of the difficult and complex Highway Beautification Act of 1965.

It was largely through the testimony and pictures submitted by your president, Harry Marley, and the supplementary staff conferences with executive vice president, Bill Story, that our subcommittee became informed on the distinctions between junkyards and scrap processors. As you are aware, this distinction was made in the Senate report that accompanied S. 2084. The original draft bill proposed by the administration was amended in recognition of this distinction.

This is not to imply that the Highway Beautification Act is a perfect example of legislative draftsmanship. But it does provide the structure for attacking a serious problem of the American landscape. And I believe the Congress was successful in holding to the original esthetic purposes of the act while preventing inequitable and injurious economic loss to the small businessman.

There are, however, areas of ambiguity that remain. We will not know the impact of titles I and II—regarding removal of nonconforming advertising structures and scrap facilities—until the Department of Commerce conducts its hearings in each of the States, as required by the Congress. These hearings are the first priority of business in administering the act, and they should be completed by midspring. For this reason, we will maintain a close observation of the administration of the act to assure that the intent of the Congress is fulfilled.

Of course, the members of your industry are even more cognizant than those of us in Government that no amount of landscaping or relocation will attack the basic problem of the accumulation of scrapped automobiles at the rate of several millions a year. Especially is this true under the present market conditions for scrap iron and steel. It was the recognition of this condition that prompted Senator PAUL DOUGLAS to sponsor his amendment to the Highway Beautification Act. His testimony and that of your industry representatives, among others, persuaded me to move the adoption of the Douglas amendment in the subcommittee.

However, some Senators felt rather strongly that since the Douglas amendment was directed toward the general problem of moving all scrapped automobiles into the scrap market it went beyond the province of the Highway Beautification Act, which was directed only toward interstate and primary and secondary roads. For this reason, I acceded to cropping the amendment in the full committee, but only after gaining the assurance that Senator EDMUND MUSKIE, chairman of the Subcommittee on Air and Water Pollution, would join with me in supporting the Douglas measure as an amendment to the Solid Waste Disposal Act. It is my hope that hearings will be conducted on this important measure early this spring and that we will have affirmative action in the Congress this year.

I need not emphasize, however, that your industry does not have to wait for Federal or State action to help in the beautification of America. Indeed, the problem of unsightly scrap facilities was a concern to you even before it came to the attention of this Congress. You are to be commended for your voluntary "green screen" program, and I urge each of you to join in this effort. With this kind of voluntary effort on the part of private enterprise, and with the cooperative approach with Government which your industry has already demonstrated, I have every confidence that we will all move forward toward a greater appreciation for the scenic and recreational values of the American landscape.

ALASKAN MINING PROSPECTS

Mr. GRUENING. Mr. President, among the plans for development of the rich natural resources in the State of Alaska some of the more important are those of the State and the mining industry for hard rock mining.

In past years the gold mines of Alaska produced great wealth and, in many ways, provided a foundation for development of other resources. The colorful history of the gold mines in Alaska has also produced a rich fortune of folklore and fame for Alaskans.

Unfortunately, in recent years the gold resource development of Alaska has come to a virtual standstill. The price for gold of $35 an ounce which was set by President Roosevelt's Executive order in 1934 was most helpful to the gold mining industry. It gave the gold mining industry a tremendous lift not only in Alaska but in other gold mining areas in the West. Regrettably, the price has remained at that level. It has proved impossible to change it or to achieve alternative forms of relief for the gold mining industry despite repeated demonstration of the obvious fact that the cost of producing gold has increased far beyond the 1934 level and it has therefore become increasingly unprofitable to mine gold. Indeed, the Consumer Price Index of the Department of Labor shows that index has risen 126 percent since January 1, 1940, the year in greatest volume of gold production in the United States. Added to this was the War Production Board Order No. 208 which ordered the closing of gold mines of the United States during World War II—an action not taken by any of our allies which had gold mines. It was a ruinous discrimination imposed uniquely on the American gold mining industry by the Federal Government. Despite this, gold miners have sought to continue to explore Alaska for the precious metal and they maintain the hope that one day gold mining will again resume its important place as a major industry. Wise Federal policy would bring that about. To achieve this desirable objective, however, an intelligent and receptive attitude on the part of the Treasury Department is required. Under both Republican and Democratic administrations, the illusion prevails in that Department that any effort to assist the gold mining industry by subsidization or other methods similar to those applied by the Federal Government to agriculture or even within the mining industry to lead and zinc, will somewhat cause a panic in international monetary circles and shake confidence in the stability of the dollar. This mistaken attitude persists despite the fact that all proposed legislative remedies—made during the last 6 years in both Senate and House—emphasize that they neither seek nor imply any purpose to change the price of gold and to affect its role in monetary affairs.

Alaska has rich resources of other minerals besides gold and we should be able to expect that the greater application of modern exploration methods, the developing knowledge of mineral resources and improved transportation will make mining an even more productive source for Alaska and of the Nation. The increasing shortage of important strategic minerals should make such prospect more likely.

An interesting commentary on the state of the mining industry in Alaska was recently presented at a meeting of the Northwest Mining Association by James A. Williams, the able director of the Division of Mines and Minerals, Department of Natural Resources of the State of Alaska. Mr. Williams called attention to the increased activity and interest in mineral development in Alaska during the last year including important operations taking place in the remote northwest part of the State—in the Kobuk—where the Kennecott Copper Co. is exploring for copper; other copper prospecting north of the Denali Highway and north of the Denali Highway and north of Iliamna Lake; significant prospecting efforts for tin in the Seward Peninsula; as well as geological and geochemical reconnaissance taking place in other parts of Alaska.

Although the outlook should be optimistic, Mr. Williams reminds us that important changes in Federal land policy are necessary if Alaska is to make its rightful contribution as an important mining State. For example, although Alaska is the site of more than half the acreage of land in the public domain, not one Alaskan has been appointed to serve on the Public Land Law Review Commission or even on its Advisory Committee established by legislation of the 88th Congress. Particularly unjust is the fact that of its 18 members, 12 come from 6 States. In other words, while Alaska with more public lands than all other States combined has none. New York and Pennsylvania with no public lands have two representatives, and the States of Colorado, Utah, New Mexico, and Idaho also have two each. This disparity is further increased by the absence of any Alaskans on the Commission's Advisory Board.

I ask unanimous consent that Mr. Williams' statement be printed in the RECORD at this point in my remarks.

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

MINING DEVELOPMENTS AND FUTURE NEEDS OF THE STATE OF ALASKA

(By James A. Williams)

Alaska's traditional reputation as a country of high costs is not as justified as it once was and is becoming less justified all the time. A steady improvement in Alaska's transportation facilities has had much to do with this. Costs in the other States and Canada are gaining on Alaskan costs. In the annual report of the Division of Mines and Minerals for 1964, we published an article containing estimates which show that overall costs of a mining operation would be only 15 percent higher in southeast Alaska than in British Columbia. Estimated cost comparisons under the headings of mining, milling, surface, services, administration, and shipping are made. No one has rebutted this article to date.

Our cost comparison also shows how the greater depletion allowances under American tax law are more favorable for ultimate profits for a long-lived mining operation than is the tax-free period for new mines in Canada. I was recently pleased to see this fact briefly recognized in a mining economics paper by Mr. Edgar Scholz which was presented at the 1964 CIM meeting at Vancouver. Also, more than one able operator with Alaskan experience has been quoted as saying that reconnaissance exploration in Alaska need not cost more than in other States or Canada when properly planned and arranged for in advance.

As for ore hunting, the odds are as favorable in Alaska as anywhere. This will be proven when exploration effort comparable to that presently going on in British Columbia is expended in Alaska. The same favorable geology that extends along the Pacific fringe of the South and North American Continents passes from the Western States through British Columbia and up into Alaska. Mr. Thomas Elliott of Vancouver presented a paper at the 1964 Alaska AIME Conference in which he reported on a compilation of answers to a questionnaire sent to numerous active Canadian mining companies requesting their comments on exploration in Alaska. Their reasons for not working in Alaska varied widely, but nearly every company stated that Alaskan geology is as favorable for ore deposits as that in Canada. Not one of them stated otherwise.

At the same conference, Mr. Charles F. Herbert in his paper entitled "A Possible Guide to Metal Deposits in Alaska" pointed out that the 1962 metal production, exclusive of iron, of the 11 Western States was 60 times that of Alaska measured in dollars per square mile. It is therefore reasonable to conclude that Alaskan metal production will eventually be many times what it is now. Obviously, the odds are very favorable for finding ore bodies in Alaska. It seems certain that the industry has hardly begun to investigate Alaska's excellent possibilities.

MINING DEVELOPMENTS

We turn now to the more important hard rock mineral developments in Alaska during 1965. The level of activity and interest rose sharply from that of 1964. Since most of our developments are in the reconnaissance stage and thus may not be discussed by wish of the companies concerned, I cannot give you the complete picture of all that is happening.

Alaska's biggest mining development is taking place in the remote northwest part of the State north of the Kobuk River where Kennecott recently started to sink an exploration shaft on a deep copper deposit. The village of Bornite has been established there. Production plans are indefinite because of the unknown nature of the rock and magnitude of the pumping problems. Several drill holes are artesian wells. The operation will be underground. The exploration shaft will go to a depth of 1,100 feet, according to present plans. Drifting will be done on two levels and further diamond drilling will be pursued from these levels.

Three active drilling projects this year were those of the United States Steel Corp. in one of the tin areas of the Seward Peninsula, Dome Mining Co. of Canada on a copper prospect north of the Denali Highway, and Falconbridge on the Kasna Creek copper claims north of Iliamna Lake. Sinclair Oil & Gas was reported drilling limestone on Heceta Island in southeast Alaska.

Dome Mining Co. also had a prospecting crew doing recon work in central Alaska, and recon geological and geochemical work was done in various areas by United States Steel and Bear Creek Mining Co. A program of crash proportions involving drilling, recon work, and claim staking was carried out by Pan American Petroleum Corp. Pan Am reportedly used some 60 men and 6 helicopters, and worked along the Alaskan Peninsula from the Chenik Mountain iron deposits to the Chignik Bay gold, silver, copper, and lead prospects. Prospects in those two areas were staked by Pan American in 1964. A local group called Davis Mining Co. prospected in the same area with a small crew and one or two "choppers."

A Pacific Northwest mining company carried out large scale investigation of lead-silver prospects in one district. Climax showed a renewed interested in molybdenum possibilities by some field investigations. Two Canadian prospecting syndicates operated in southeast Alaska with boats and

crews. Atlantic Refining Co., a major oil firm, staked a new iron show found this year by the U.S. Geological Survey. A trio of Alaskan prospectors developed a lead-silver prospect found in 1963 by a State division of mines and minerals geologist. Incidentally, the promising Denali copper prospect being drilled by Dome was also discovered by a division geologist.

A new Anchorage group investigated some copper shows on the west side of Cook Inlet and an old Ketchikan group continued investigations of various prospects in southeast Alaska. Asbestos Corp., A.S. & R. Co., and Anaconda American Brass, all of Vancouver, investigated Alaskan possibilities on a limited scale. Wrangell Mountain Mining Co., a Cordova group, prepared to concentrate copper-bearing talus at the old Kennecott property in the McCarthy district, and Harry B. Cannon & Associates of Florida had a crew on the Martin Radovan copper prospect in the same district. H. Hill & Associates of Vancouver did some development work on one or more antimony prospects in the Fairbanks district, and a local Seward group drilled a gold vein inside the Seward city limits.

Offshore prospecting and mining has not progressed as rapidly as we had hoped, but it is moving ahead. Offshore prospecting permits are held in a great many places along Alaska's 35,000 miles of coastline, but the best chances for early production seem to be along the south side of the Seward Peninsula, and off the platinum area at Goodnews Bay. Shell Oil did sparker seismic work in 1963 and drilled from the ice over an area several miles long parallel to the beaches of Nome in the winter of 1963–64. Shell has acquired exploration rights on a number of permits. The Thompson group, of Denver, has recently acquired prospecting rights on a large number of permits in several areas, and the Ocean Sciences organization carried out work in contouring and sampling various offshore bottoms in 1965.

We estimate expenditures for mining exploration in Alaska in 1965 to total about $2½ million. This is a small figure compared to that for British Columbia, but as noted earlier, it represents a sharp upturn from the previous year.

OIL DEVELOPMENTS

Since we are concerned here primarily with mining, my remarks on oil development will be very brief compared to the importance of these developments. The big news in Alaska oil development during 1965 was twofold: (1) The discovery of three new offshore oil fields in Cook Inlet and (2) erection of the first permanent platforms for drilling and production in the inlet.

Offshore drilling discovered three new offshore oil fields in Cook Inlet and extended the previously discovered Middle Ground Shoal field to perhaps double its known size. This gives us five known fields in the inlet, all with huge potential, and there is good reason to expect more. We are now in 10th place for proven reserves among the 33 oil producing States, and as the new fields come into production, we will be climbing the ladder from our present position of 20th in annual production. Our present production is still limited to the Swanson River oil field and the Kenai gas field, both on the Kenai Peninsula.

Cook Inlet has the most severe ice conditions of any place in the world where offshore drilling has thus far been done. Tides of up to 30 feet create currents which sweep large ice floes back and forth at speeds up to 7 knots. In the colder winters, this ice reaches thicknesses approaching 4 feet. Until this year, drilling in the Inlet has been done from floating rigs, a jack-up barge, and temporary platforms not designed to withstand moving ice. Shell Oil completed the first permanent platform early in the year on the Middle Ground Shoal structure and has drilled three wells from it to date. A Pan American Petroleum Corp. permanent platform on the same structure will be completed before the year's end. A double 8-inch pipeline has just been laid from the east side of the Inlet to these two platforms. Announcements by various oil companies late in the year indicate that at least six more permanent platforms will be erected as soon as possible on the newly discovered oil fields. These platforms cost $6 or $7 million each.

Several gas fields have been discovered in the Cook Inlet area but are shut in for lack of market. Plans have been in motion for quite some time to build a liquification plant on the Kenai Peninsula and a suitable ship to supply the Japanese market with liquid gas.

Extensive seismic exploration and some drilling is continuing on the Arctic Slope. Much interest is in evidence there and large acreages have been leased, but development is understandably slow Production would presumably have to be transported by pipeline some 700 miles south to Fairbanks. No roads exist north of the Yukon River.

A glance at the economic impact of Alaska's new oil industry is as follows: Alaska is now producing $35 million worth of oil and gas per year. From this annual production the State is receiving directly about $4 million in taxes and royalties. This will increase in succeeding years. Several more millions of dollars are received each year from competitive lease sales and rentals. Currently, the industry is providing directly about 700 jobs and is spending annually $65 to $70 million in exploration, development, production, and construction. A further benefit not recognized by many is the road building which helps to open up inaccessible areas. During each of the last 3 years the oil industry has built over 300 miles of heavy duty roads over which to haul the heavy drill rigs to new drill sites.

NEEDS OF THE STATE TO STIMULATE DEVELOPMENT

Probably the two most important needs that can be at least partly met to increase exploration in Alaska are the need to know more about the geology and geochemistry of the State and the need to show mining people that costs in Alaska are not necessarily as high as is popularly believed. A mining company or a knowledgeable prospector always wants to study the geology of an area before going into it, and the more detailed the geology, the better it usually is for exploration purposes. Also, it has been found that geochemical maps stir up a great deal of interest and activity. The USGS is mapping geology at a reconnaissance scale of 4 miles to the inch, but is not expending as much of its geological effort as it should in Alaska relative to the size, amount of public domain, and mineral potential of the State. The three mining geologists of the division of mines and minerals are mapping favorable areas at a scale of 1 mile to the inch or larger as rapidly as possible, but our 300 to 400 square miles of mapping per year is considerably less than one-thousandth of Alaska's total area.

Having discussed costs to some extent earlier, I will not got back to that subject.

As with other public land States, Alaska needs less restrictive interpretation of mining laws where there is no other actual need for the land. This seems particularly important in Alaska where there is so little basic industry and the proportion of public domain is so high. A case in point is the U.S. Forest Service's current protest against issuance of patent for the Snettisham iron claims. The application has been pending for several years. The claims cover a well-known large iron prospect that will eventually be commercial, if the claims can be kept valid. The land is not needed for anything else, and claims on a similar deposit were patented recently after years of arguing. One of the Forest Service examiners at the Snettisham hearing said that if he had been on the other case, that patent would not have been issued. We need less of this sort of discouragement.

We can hope and try for help from the newly created Public Land Law Review Commission, but it is an unfortunate fact that Alaska, with a little more than one-half the total Federal lands over which the Commission will be deliberating, has not a single member on the Commission nor even on the Commission's Advisory Council. We need representation on this Commission.

We need fewer withdrawals. The most recent proposal includes the Kantishna mining district so that it may be added to Mount McKinley National Park. The reason for the proposal is apparently stated officially as the need to create a new camping area that is near, but not in sight of, Wonder Lake in which the famous reflection of the Mountain is seen. Various other theories have been voiced about the need to help save the caribou which migrate through the district on the way to and from the park and the need to remove from adjacent to the park's boundaries the buildings and other structures that are associated with mining and the trade and manufacturing sites which are in existence there.

The Kantishna district has produced Alaska's most important, though small, shipments of silver ore in the past and is one of the most likely future sources of silver. As is only too well known, silver is in such short supply that the Nation has had to delete it from part of our coinage. Yet, the Department of the Interior proposes to add this potentially productive area to a national park which already contains nearly 2 million acres and whose only road runs part of the way across its north side. This is certainly holding up any risk capital that might otherwise be spent there, and does nothing to inspire exploration work anywhere near the park. No notice of a public hearing was published with the notice of the proposed withdrawal and no further official word has been received on the matter other than routine acknowledgment of the protests which have been sent to the BLM.

Obviously we need a healthy raise in the price of gold or some other measure to make gold mining again reasonably profitable. Alaska has hundreds of gold placer and lode deposits which are idle only because costs have more than tripled since the price of gold was pegged. Alaska has a large belt of mercury prospects that should be receiving more attention.

In spite of the more favorable U.S. depletion allowances mentioned earlier, we need a Federal tax moratorium similar to that in Canada for new mining operations. The Canadian tax-free period is unquestionably the biggest single attraction to investment in Canada's mining possibilities.

DIVISION OF MINES AND MINERALS

I was asked to summarize briefly the activities and functions of my agency in fulfilling the needs for stimulation of mining in Alaska. Our geological work has been mentioned. Using the USGS reconnaissance geology as a base, we are selecting areas that indicate the most promise and investigating them by detailed mapping methods and stream sediment geochemistry.

The second full season of this work has just been completed. The total field crew consists of three mining geologists, four mining engineers, and three summer geologic

field assistants. Geochemical sampling is done in the areas of the geological investigations and also in other areas separately from the geologic work. One of our hopes is to publish geochemical maps of large areas of the State. For example, we are working presently toward one of southeast Alaska. Geochemanamolies have been found in places where no known prospecting has been done. It is expected that prospectors and exploration companies will follow up our work in greater detail and thoroughly check out the possibilities.

We insist that our geologists prepare their reports for publication prior to the following field season so that others may use the information gained without delay. I suspect that my whipcracking is not too popular with the geologists, for it may cause errors in judgment to be made when a geological field project is not completed. However, corrections can always be made the following season. It seems more important to us to make the work immediately available than to delay publication until we are sure that all details are technically correct.

Other functions of the Division aimed at stimulating mining in Alaska include (1) Kardex inventory of all prospects and known mineral occurrences with up-to-date claim ownership information and references to known unpublished reports and USGS and USBM publications referring to the property or occurrences, (2) free public mineral identification and assaying of samples and ores for bona fide prospectors, (3) property examinations and reports where deemed warranted and the claim holder cannot afford a consultant, (4) a monthly bulletin and annual report of wide circulation, and (5) answering inquiries by correspondence and assisting visitors at our various offices with all manner of mineral information, including making our Juneau files of unpublished individual property reports available to visitors.

PORNOGRAPHY BECOMES BRAZEN

Mr. MUNDT. Mr. President, in the past 6 months I have received more complaints from fellow South Dakotans about the problem of smut advertising than I have about almost any other national or international problem.

It became apparent to me in late summer that the professional dirt peddlers had picked South Dakota as their target for advertising obscene materials. Since that time, hardly a day goes by that I do not get complaints from people who have received unsolicited advertising for off-color pictures, books, and other materials.

My mail leads me to the conclusion that other areas of the Nation have also been cursed with this flood of advertising from these firms soliciting sales of movies and pictures of an obviously pornographic nature.

I believe that the time has come for Congress to act. It is my hope that we can again pass S. 309, the bill which I have introduced to set up a Commission on Noxious and Obscene Matters and Materials. The Senate has twice approved this legislation.

The House Education and Labor Committee has held hearings on a companion bill, H.R. 7465, introduced by Congressman DOMINICK DANIELS. I am encouraged by reports from the House side that this bill may be favorably reported soon.

I have received a very fine editorial from the Shreveport Journal, of Shreveport, La., for January 8, 1966. I believe this editorial points out some helpful approaches to the problems of pornography, and I ask 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:

A WAR ON PORNOGRAPHY

Congress this coming session will consider several bills to curb the distribution of pornography through public channels. Senator KARL MUNDT, Republican, of North Dakota, and Representative DOMINICK DANIELS, Democrat, of New Jersey, are expected to urge the establishment of a presidential commission to investigate the whole business in smut literature.

Certainly, a commission is not needed to determine that it is a thriving business. Books and magazines containing material of a lascivious nature can be obtained either at newsstands in towns and cities all over the country or else through the mail.

Publishers of filth, just as do the narcotics rackets, make a strong appeal to children. Their aim, of course, is to create lifelong customers regardless of what effects obscene pictures and reading matter may have on impressionable young minds.

Increasing numbers of communities are trying to stop the tide, both by law and by enlisting the cooperation of local newsstand and bookdealers. But Supreme Court rulings have greatly weakened legal controls, and in consequence, law enforcement agencies have less authority on which to act.

The Wanderer, a national Catholic weekly published in St. Paul, Minn., is calling for a war on smut. It asks individuals and organizations throughout the Nation to appeal to President Johnson to use all resources at his command to stop the inundation of obscene literature.

No matter what action may be taken in Washington, the campaign can begin in every home where there are children. In supervising the reading done by sons and daughters, parents can take a constructive approach. Never before have so many beautiful books for children been available. Children need to be encouraged to read fine books as well as to be protected from trash.

Mr. MUNDT. Mr. President, I have also read a very fine presentation of the entire problem of increased activities on the part of the smut peddlers in an article from the official publication of the Knights of Columbus, Columbia, in the January issue. This article, entitled "Pornography Becomes Brazen," by Al Antczak, outlines the broad picture of the threat of the obscenity market. I ask, also, that this article be included in the RECORD.

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

PORNOGRAPHY BECOMES BRAZEN

(By Al Antczak)

(NOTE.—Popular unconcern and baffling court decisions have permitted pornography to become a multi-billion-dollar business in the United States, posing an insidious threat to the Nation's young. This is the first of three Columbia articles on the menacing problem.)

Total nudity, straight on and unretouched, is now the main content of smut magazines on sale somewhere near you.

Pornography now has reached a point where American smut publishers are replacing their girlie magazines with outright nudist publications.

They feature mixed groups. They make little pretense of advocating sun worship or catering to nature faddists.

They show nudity frankly and suggestively.

They encourage it as yet another new freedom.

They illustrate it boldly, often in full color layouts. Topics range from crudely suggestive poses to apartment house parties that include dancing.

Such magazines now have a circulation in the millions. They are produced in a number of American cities. They are on display near you and your children selling at prices from $1.50 to $5.50.

The current social contagion of pornography is comparable in many respects to the rat-borne bubonic plague of the middle ages. Pornography has become the new American plague.

No undercover police investigation is needed to verify this. It's in the open.

In downtown Los Angeles you'll find all this material, and more, at a newsstand half a block from fashionable Bullocks department store and at many other newsstands in the area.

Stores dealing almost exclusively in smut material operate along Main Street, which is in back of Spring Street, the financial center of Los Angeles.

If you never go downtown you're still not insulated from this material. One of the worst smut shops in San Fernando Valley is near a corner bus stop used by teenagers from various public and private neighborhood schools.

Photo magazines are only one part of the country's pornographic output. There are also pornographic records and pornographic 8 mm. films depicting a whole range of normal and abnormal sexual activity. Police say that girls used in these films are paid $25 for appearing. The film, in turn, may make $25,000 for the producer.

One of the largest, most lucrative categories of smut is paperback books specializing in the whole spectrum of human aberrations from adultery to transvestism.

The new paperbacks do not contain anything as simple as heavily sexual romance. Read this excerpt from a letter sent by a California publisher to prospective authors:

"The paperback picture has been changing month to month and we need tough, strong, hard-hitting, sex-action-filled books geared to the demands of today's and tomorrow's highly competitive market rather than the standards of even a few months ago. What we basically seek is off-beat sex with emphasis on deviations. Some of the things to write on are: (There follow specific delineations of every known form of unnatural activity). The plot is secondary. We do not want complex sex plots, naive sex adventure stories, detective stories spiced with sex, no pages of rambling, pointless dialog. I need more descriptions, more characters per book."

'Naturally," concluded the publisher's letter, "I expect the descriptions of these various things to be in good taste * * * we don't want four-letter words * * * but within these standards it must be as strong and as off-beat as possible. The mere fact that some of these themes are used will sell our books."

As of autumn 1965 the leading marketable theme for these paperbacks was incest.

Obscenity is big business. Law enforcement people and citizens' decency groups say that a total gross of $3 billion a year seems a realistic estimate.

Information from studies of court cases and from newspaper files gives an indication of the tremendous output of a few publishers in Los Angeles only.

One Los Angeles printer publishes 20 to 30 smut-type titles a month and makes 25,000 copies of each for a total of 500,000 to 750,000 paperbacks monthly.

Another Los Angeles publisher prints 250,000 girlie and nudist magazines a month.

Printing costs come to about 10 percent of the book's selling price. The cut on the sale is a 50–25–25 percent split between the publisher, distributor, and retailer.

Records show that the typical big publisher grosses $3 million yearly in the girlie field alone. Then there is his paperback output which totals about 2 million copies selling for 75 to 90 cents each.

Within California there are approximately 20 to 30 corporations publishing smut-type publications.

The magnitude of the resources and operations of some of these firms is evidenced from such records as U.S. Bankruptcy Court proceedings against a publisher in California. Involved were a two-unit web offset press; four shoe-fed offset presses; three letter presses; a complete composing room; assorted handling and storage units. The firm employed 66 persons. In 1959 it reportedly did $376,000 in sales. In 1963 sales were estimated at $1,300,000.

During the past 5 years the smut publishers have become bolder and their production and profit figures have spiraled.

One typical Los Angeles publisher began in 1958 with three titles. In 1964 he was publishing 43 girlie magazines and 14 nudist magazines.

Other publishers show comparable gains in volume and profit. Obscenity is big business and big money.

The perverting power of smut money is evident not only in terms of the commercial exhibitionists who pose for the photos, but also in other ways. One large west coast firm is now headed by a father and son. The son asked to come into the business because of the money. He is not yet 25.

Another, different father and son relationship was recounted by Dr. Don Cortum, Torrance, Calif., physician who is national cochairman of Citizens for Decent Literature, a countrywide group that is combating obscenity through education and support of law enforcement and court actions.

At the CDL national convention in New York City last October Dr. Cortum and some delegates were inspecting smut shops in the Times Square area. The group of men began to question the operator of the shop as to why he was in such a sordid business. He justified himself by saying he needed the money to put his 17-year-old son through college.

"Would you bring him in here and let him see all this stuff?" the operator was asked.

"Of course not," he snapped.

Unconcern and irresponsibility for other people and their children is the most vicious characteristics of the smut peddler. He disclaims any responsibility for corrupting the Nation.

So serious is pornography and its effects that in California alone several concurrent campaigns are being waged to fight the plague.

Last September California Attorney General Thomas C. Lynch appointed an advisory committee on obscenity. Its members are city and district attorneys and law enforcement officers from throughout the State. Purpose of the attorney general's committee is to investigate the sources of obscene materials in the State, to provide data for more anti-obscenity legislation, to assist law enforcement officers in legal proceedings against pornography and to explore possibilities of legal actions against purveyors of obscene materials.

Officer Lou McClary is a perceptive, dedicated young policeman. His beat: pornography.

He has been assigned to this for the past 5 years and works out of the Administrative Vice Division of the Los Angeles Police Department.

Currently he is on loan from the department to serve as investigator for the State attorney general's advisory committee on obscenity. McClary knows the publishers, the retailers and their operations.

He tells you flatly that Los Angeles is one of the major producers of smut—girlie magazines, paperbacks, nudist magazines, films, the combined field.

He puts the number of major firms in the Los Angeles area at four—with subsidiaries. Other big cities also have heavy producers of objectionable material.

One thing Los Angeles police have been successful in curtailing is the peep show arcades with their 8 mm. films and also nude photography studios.

In the past several years 26 nude photo studios were closed by police. Arrests were being made in them weekly for lewd conduct and pictures, for prostitution and other violations of the law.

One means of enforcement against the peep show operators is the denial of permits by police to any potential operators with police records.

Officer McClary will not estimate the dollar volume nationally of the smut industry.

"I know I've never seen a poor man in this field. One operator will tell you his competitor is worth a million dollars in cash."

McClary cites as evidence of high profits the fact that litigation and court costs are accepted by operators as a normal, constant item of overhead. These costs are high.

The operators hire lawyers who specialize in the law on obscenity, who command high fees and who have at their disposal "experts" in literature, art, and even in the ministry—all retained for fees as high as $150 a day.

The police, McClary emphasizes are not censors, nor is it their function to act as the conscience of their community. Their usual procedure in this field is to investigate a complaint and take it to the city attorney. The city attorney decides whether or not prosecution is possible.

In California the prosecutor must prove that the matter in question is obscene and that the purveyor had knowledge that it was obscene.

This is not easy. Right off, McClary says, the retailers, the clerks in the shops often have oral instructions from their attorneys on what to say to anyone they suspect is trying to get them to admit to knowledge of the nature of what they are selling.

Capt. Harry A. Nelson is commander of the Administrative Vice Division of the Los Angeles Police Department. A reflective, analytical man, he elaborates on the knotty problem that Officer McClary described.

"There is no field of law enforcement in which a policeman is so frustrated as in obscenity matters.

"If I had to choose a point of controversy, I honestly believe that 'obscenity' has generated more disagreement and ambiguity than any other point of contention brought before our court system.

"Everyone knows what murder is, what robbery is. But what is obscene? What is hard core pornography?"

Captain Nelson says that during the past year civic and religious groups have been more active than ever before in their concern over pornography.

He also reports that the constant pressure and clamor have had little or no effect on legislation or court decisions.

"With the civic groups on one side and the courts on the other, a virtual battlefield is created, with the police officer in 'no man's land.'

"One of the latest U.S. Supreme Court decisions removed the prerogative of local jurisdictions to determine obscenity and created a national conscience which is impossible to identify," he pointed out.

Captain Nelson said numerous moral definitions of obscenity exist, but there does not appear to be a single workable legal definition.

He emphasized the point that a gap exists between the moral and the legal. What is morally offensive is not necessarily legally prosecutable.

"The enforcement officer must comply at all times with statutory requirements, as translated from the will of the people through legislative process. The judicial body possessing the right of final review need not reflect the will of the people. Herein rests a major conflict with regard to pornography."

Continuing his explanation of police frustration in attempts to clear objectionable printed matter from a community, Captain Nelson said a recent California Supreme Court decision has resulted in chaos.

In the decision, he said, obscenity is related to "hard core" only, but the phrase was not defined. "This leaves all the gray area material, e.g., sunbathers' magazines, girlie books and magazines and girlie snapshots readily available," he said. "As a result, mail order companies are springing up in large numbers. An abundance of complaints regarding their wares are received daily from irate citizens throughout the country."

Prior to 1961 enactment of present obscenity laws, courts had defined obscenity as: "Whether to the average person, applying contemporary community standards, the dominant theme of the material taken as a whole appeals to prurient interest."

New laws went further. They required that proof be given that the person charged had knowledge that the matter was obscene. They added the condition that the matter be "utterly without redeeming social importance."

Captain Nelson said numerous complaints are received regarding nudist magazines published and distributed in the Los Angeles area. Nudity, per se, is of course not legally obscene.

"The latest known figures disclose that the southern California area has approximately 4,500 registered nudists. However, there are in excess of 100,000 copies of nudist magazines sold in this area each month," Nelson said.

"The market for these magazines is obviously not among nudists. The nudist magazines are distributed and sold through the same outlets as the girlie magazines and borderline paperbacks. The appeal of these publications is shown by their proximity to other borderline materials, but their content cannot be declared obscene."

The captain said many paperbacks take advantage of the fact that "sex is not synonymous with obscenity" and therefore enter into graphic descriptions of sex acts.

Los Angeles City Attorney Roger Arnebergh said: "I receive more complaints about pornography than any other matter." Arnebergh bluntly blames the courts. He says he is up against something like Justice Potter Stewart's dictum that only hard core pornography is prosecutable and, though he doesn't define it, he'll know it when he sees it.

Arnebergh contends that even though lower courts in some areas do find books obscene, there is always appeal and enough reversals in higher courts to make local prosecution difficult.

On a national scale the Post Office Department records a volume of complaints that has increased 200 percent since 1957. Complaints against obscene mail in 1957 totaled

40,000. In 1965 complaints reached 128,000. Convictions in these same 2 years increased from 175 to 696.

Postal inspectors at Los Angeles say that what the general public complains about is the borderline gray area material.

It is lucrative for dealers to have a Hollywood address, hence much mail-order business in objectionable materials originates here.

Henry B. Montague, chief U.S. postal inspector, told the General Federation of Women's Clubs in New Orleans last June that "the continuous flow of obscenity in this country is a serious problem and one of grave concern. We in the postal inspection service are convinced that the availability of lewd and suggestive matter is one of the contributing factors to the increase in crime. Pornography which concentrates on masochistic or sadistic practices is very potent in this respect."

Inspector Montague also observed that "one of the features of greatest concern to us is the continually increasing volume of pornography relating to homosexuality."

James J. Clancy is a graduate of the U.S. Naval Academy, a veteran of World War II submarine duty and of destroyer service in the Korean war. He is a lawyer and now full-time legal counsel for Citizens for Decent Literature. Prior to that he served for 1 year as a special counsel in the Los Angeles County district attorney's office for work on obscenity cases.

Blue-eyed, genial Clancy is straight business when it comes to discussing this subject. His analysis is as taut and clear cut as a battle plan.

His appraisal:

"The situation has gotten worse in the past 5 years. We don't accept that nothing can be done about it.

"The major problem is the legal complexity of obscenity and the unwillingness of public attorneys to take on challenges, especially when they seem insurmountable.

"Basically the fight can be won by insisting that the law be enforced, by insisting that arrests be made and that prosecutors carefully prepare their cases and secure expert advice." Clancy does not agree with prosecutors who claim action against obscenity is hopeless.

Clancy refers to a statement by Chief Justice Earl Warren that "courts are often presented with procedurally bad cases and, in dealing with them, appear to be acquiescing in the dissemination of obscenity. But if cases were well prepared and were conducted with the appropriate concern for constitutional safeguards, courts would not hesitate to enforce the laws against obscenity."

Clancy believes the tide can be turned against the pornographers for two reasons:

"1. People are becoming incensed. People are looking at this material now and there is a tremendous reaction.

"2. The material has gotten so bad that the publishers are hanging themselves. You can't push this stuff on a community without having reaction."

THE UNITED NATIONS AND PEACEKEEPING

Mr. CHURCH. Mr. President, the 20th General Assembly of the United Nations concluded its business on December 22. By any standard of measurement, it has been quite a session. Perhaps the most important development for the U.N. in 1965 was normalization of the Assembly which was paralyzed during the previous session by the argument over article 19. The 20th General Assembly was thus enabled to meet and function normally. Resolutions were produced and voted upon, and the largest number of items in the history of the Organization were debated, covering economic problems, trust territories, human rights, disarmament, financing, and peacekeeping. But, as Ambassador Arthur J. Goldberg noted, in addressing the U.N. Special Political Committee:

Peacekeeping is at the heart of this Organization's work. For, if the United Nations failed to fulfill its responsibilities under the charter for the maintenance of peace and security, there would be little hope for the other noble aims of the charter.

Fortunately, Mr. President, 1966 will see the United Nations renew its continuing effort to keep peace. I ask unanimous consent to have Ambassador Goldberg's fine statement printed in the RECORD.

There being no objection, the statement 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 POLITICAL COMMITTEE, ON THE QUESTION OF PEACEKEEPING OPERATIONS

Mr. Chairman, the item before us, the "Comprehensive Review of the Whole Question of Peacekeeping," is surely one of the key items before this General Assembly.

Peacekeeping is at the heart of this Organization's work. For if the United Nations failed to fulfill its responsibilities under the charter for the maintenance of peace and security, there would be little hope for the other noble aims of the charter. Prospects for peace in the world and a better life for men everywhere would be immeasurably darkened.

It might be well at this point to define exactly what the term "United Nations peacekeeping" means.

The Secretary General has provided us with a useful definition. "Peacekeeping forces," he told the Harvard Alumni in 1963, "are of a very different kind and have little in common with the forces foreseen in chapter VII—but their existence is not in conflict with chapter VII. They are essentially peace and not fighting forces and they operate only with the consent of the parties directly concerned."

The United Nations has a long history of establishing such peacekeeping forces—in Greece, in 1947; in Kashmir, in 1948; along the borders of Israel, in 1949; in the Gaza Strip, in 1956; in Lebanon, in 1958; in the Congo, in 1960; in West Iran, in 1962; in Yemen, in 1963; in Cyprus, in 1964; and in India and Pakistan in 1965.

The report of the Secretary General and the President of the General Assembly to the Committee of 33, and the discussion in that committee, have helped to define the nature of these peacekeeping operations. Unlike enforcement actions, they are voluntary in two fundamental respects:

They do not place obligations on member states to contribute personnel, materials, or services.

They are introduced into the territory of a country only with the consent of that country.

Such operations have taken various forms—observers on a frontier; supervision of a cease-fire line; factfinding and observation to clarify a factual situation or to investigate charges of interference and infiltration from the outside; and assistance to a country to maintain or restore law and order where requested by that country and in conditions in which international peace and security might otherwise be threatened.

It is remarkable—and heartening to my Government—that U.N. peacekeeping operations of all these kinds have gone forward even in the face of deep differences over issues of principle. This is a tribute to the diplomatic and executive talents of the Secretary General and to the generosity and dedication of participating countries. Above all, it is a tribute to the underlying good sense of the overwhelming majority of member states which have insisted that the U.N. carry out its responsibilities, though none of us may have been fully satisfied with all the arrangements for initiating, supervising, and financing a particular operation.

Mr. Chairman, this success, this partial success, is instructive for our deliberations on the peacekeeping issue. We must avoid the fallacy of assuming that total agreement on all issues of principle is a precondition of cooperating in U.N. activities. Here, as elsewhere, the pragmatic adaptation of arrangements on a case-by-case basis may offer the best hope of progress.

In any event, we must not allow our search for new and improved ground rules to impair the procedures and arrangements that we already have.

Nor should we permit the considerable progress already made in developing peacekeeping procedures to be frustrated by a small minority. As we said to the Committee of 33 on August 16: "My Government * * * is not 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."

What are the ground rules for authorizing, supervising and financing peacekeeping operations which have developed in the past—and which can guide us in the future?

From the statements of delegations in this and recent General Assemblies, from the deliberations in the Special Committee on Peacekeeping Operations, from the report jointly submitted to that Committee by the Secretary General and the President of the 19th General Assembly, and from the comments of governments on that report, there appears to be widespread support for the following major principles:

First, the Security Council has the primary responsibility for initiating and supervising peacekeeping operations—and everything should be done to enable it to exercise that responsibility.

Certainly there is widespread agreement—in which my Government strongly concurs—that the maximum possible use should be made of the Security Council.

Recent experience—in the Congo, in Cyprus, in Kashmir—has demonstrated that the Council can meet its responsibilities for dealing with threats to international peace and security. The enlargement of the Council to make it more representative of the membership as a whole should encourage the further strengthening of its peacekeeping work.

The United States continues to favor the suggestion we submitted in September 1964 to the Working Group of 21 that all proposals to initiate peacekeeping operations should be considered first in the Security Council. The Assembly would not authorize or assume control of such operations unless the Council had demonstrated its inability to act.

Second, the General Assembly has authority to initiate and supervise peacekeeping operations where the Security Council is unable to act.

Everyone apparently agrees that the General Assembly can make recommendations to the Security Council with respect to peacekeeping in the event the Council is unable to act. But the real question is whether, in the face of veto by a permanent member, the Assembly can authorize the establishment of such operations.

From the comments made by member states in recent months, it appears that the overwhelming majority of U.N. members answer this question in the affirmative. Only a small minority of members continue to insist that the negative vote of one permanent member can prevent 116 other members of the organization from initiating voluntary action to protect their common interests in the maintenance of peace.

I will not repeat here all the arguments—fully confirmed by the International Court of Justice—in support of the complementary powers of the Assembly pursuant to various articles of the charter. I wish only to emphasize, as so many others have already done, that the acceptance of the minority view on this subject would be absurd in theory and intolerable in practice.

All of our countries, in accepting membership in the U.N., agreed to refrain from the use of force save in self-defense, in support of U.N. action, and pursuant to chapter VIII of the charter. These charter restraints were undertaken on the assumption that the United Nations could act successfully when peace and security—and hence our common interests—were seriously threatened. It would be unreasonable to expect members to entrust peacekeeping responsibility to a U.N. which could be rendered impotent by the intransigence of a single member. Such an interpretation would do violence to the charter and would disappoint the legitimate hopes in this organization of the peoples of the world.

The United States, though itself a permanent member of the Security Council, has never considered that any one member should have the power unilaterally, and without recourse, to frustrate the initiation of peacekeeping operations not involving enforcement action. Some have argued that, on a narrow calculation of our interests and having regard to the fact that we have but 1 vote of 117 while paying 32 percent of the regular budget, we should be disposed to do so.

Nevertheless, we have defended the authority of the Assembly to undertake peacekeeping operations free from veto by ourselves or others because we recognize the long-term interest of all mankind in developing this means of containing violence in the nuclear age. We have not considered that our interests require us to have a veto over recommendations to members that they contribute to U.N. operations taking place on the territory of a state with its consent. We appeal to others to take the same long view of their own interests.

Third, the General Assembly has the exclusive authority under the charter to apportion the expenses of peacekeeping operations among the members of the United Nations.

This principle, like those I have mentioned earlier, is supported by a large majority of United Nations members. It is fully confirmed by the language of article 17, by 20 years of practice in the United Nations, and by the advisory opinion of the International Court of Justice accepted by the General Assembly. With respect to financing as well as authorization, the powers of the Assembly should be preserved. No member should have the right to veto a financial plan accepted by everyone else.

Fourth, the expenses of U.N. peacekeeping operations should be, so far as possible, the collective financial responsibility of the entire membership.

This principle, asserted without any qualification in General Assembly Resolution 1874 (S–IV), has been supported by the United States and a majority of other members for very practical reasons:

It offers the best way of sharing the financial burden fairly among the membership.

It recognizes that every member has an interest in the preservation of peace and should therefore pay something—no matter how little—toward its preservation.

It takes account of the fact that member states will be more likely to contribute military contingents for an operation when it has broad political support as reflected in widely shared financial participation.

Many, to be sure, have expressed optimism that voluntary financing of peacekeeping can do the job. The voluntary method of financing certainly offers one possibility to be considered on a case-by-case basis. But experience indicates that it often places unfair burdens on troop-supplying countries and may even fail to produce sufficient funds to assure the continuance of the operation.

At this very moment the Secretary General is short some $7 million for the United Nations operation in Cyprus. Those who believe voluntary financing is the answer have an obligation to demonstrate that it can work in specific situations. As Ambassador Stevenson once said, it would be irresponsible for the members to sit back while the Secretary General has to search for funds like a beggar on the street.

Fifth, the cost of peacekeeping operations should be shared fairly among the members in accordance with their capacity to pay and with due regard for the international character of these operations.

General Assembly Resolution 1874 (S–IV) included two propositions on which there is broad support—that economically developed countries are in a position to make relatively larger contributions than countries that are economically less developed and that the special responsibilities of the permanent members of the Security Council should be borne in mind in connection with their contributions to financing. There is widespread support for the concept of a special scale of assessment for peacekeeping operations which could give effect to these propositions.

The United States has already expressed support for a special scale. We reaffirm that support today.

Sixth, General Assembly procedures for authorizing, supervising, and financing peacekeeping operations should provide an appropriate voice for those members which bear the principal responsibility for supporting them.

With this in mind, we included in our submission to the Committee of 21 in September, a proposal for a Special Finance Committee of the General Assembly. This Committee would include the permanent members of the Security Council and a relatively high percentage of those member states in each geographic area that are large contributors. The General Assembly, in approving financial arrangements for peacekeeping operations, would act only on recommendations from this Committee passed by a two-thirds majority of the Committee's membership.

The United States is not irrevocably wedded to this particular proposal. We note that other proposals addressed to this same problem have been put forward by the delegations of Nigeria and France. Here, as in the case of other principles I have mentioned, we are prepared to consider any reasonable procedure for implementing the overall objective.

Seventh, the Secretary General is the most appropriate executive agent for managing peacekeeping operations, and should be given every support within the scope of his mandate.

As the chief executive officer of the United Nations, the Secretary General has the right and the duty to implement the directives of the Security Council, the General Assembly, and other organs. At various times in the past two decades he has carried out this responsibility under broad mandates in United Nations peacekeeping operations in the Middle East, the Congo, Cyprus, and Kashmir. We are of the firm conviction that he should continue to exercise this responsibility in the best interest of effective United Nations peacekeeping.

These, then, are the general principles which we believe should guide this organization in dealing with the peacekeeping problem. These principles are broadly compatible with the guideline set forth in paragraph 52 of the report submitted by the Secretary-General and the President of the General Assembly to the Special Committee on Peacekeeping Operations—guidelines which have had the widespread support of the members of the United Nations.

The tide of historical evolution of this organization which is reflected in these principles cannot be reversed by a few recalcitrant members. The peacekeeping work of the United Nations must continue and it will continue.

I turn now to the concrete proposal put forward initially by the Government of Ireland.

First, I should like to express our appreciation to the Irish Government and, in particular, to Foreign Minister Aiken, for taking the initiative in this vital area. Theirs is a concrete proposal, carefully worked out. It is designed to preserve and strengthen the capacity of the United Nations to undertake peacekeeping operations. It makes a sincere effort to do this while accommodating the legitimate interests of all members.

This proposal is a challenge to every member of this Assembly to rethink its position on peacekeeping operations in precise detail. How we respond to this challenge—what we say in this debate on peacekeeping—what we do at the end of it all—will profoundly affect the future capacity of our organization to perform its principal responsibility under the charter.

As for the United States, we have a number of reservations about the proposal. We expect that other delegations may have reservations as well. It would be surprising if this were not the case, since at this point in the history of the United Nations no proposal would be fully consistent with the viewpoints of every member.

Turning to specifics, we note with satisfaction that some of the principles I have outlined are reflected in the proposal put before us by the delegations of Ceylon, Ghana, Ireland, the Ivory Coast, Liberia, and Nepal.

The proposal recognizes the special responsibility of the Security Council to initiate and supervise peacekeeping operations. It affirms the authority of the General Assembly to initiate and supervise such operations where the Council is unable to act. It maintains the right of the General Assembly to assess the membership for the expenses of peacekeeping operations.

It also calls for collective fiscal responsibility, subject to a right of opting out to be accorded by the General Assembly to the five permanent members of the Security Council, which right is coupled with certain increased financial responsibilities by the permanent members.

We believe that full collective fiscal responsibility is the first choice. But we have also to recognize that it cannot be achieved in practice until there is a change in the attitudes of certain permanent members.

For these reasons, we are prepared to accept such an opting out arrangement for permanent members as an interim measure if that is the wish of the majority of the Assembly. If we cannot have full collective responsibility, let us achieve as much shared responsibility as we can. We certainly do

not believe that, simply because some permanent members are not prepared to be assessed against their will for peacekeeping operations, no member should be assessed at all.

As we stated before the Special Peacekeeping Committee on August 16: "We look forward * * * 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."

The proposal also embodies the concept of a special scale of assessment. It must make certain observations, however, on the way it seeks to implement that concept.

The resolution seeks to apply a fixed scale to all operations regardless of their size and regardless of the special circumstances that may be involved. We believe, in accordance with the practice of the United Nations, that the regular scale of assessment is appropriate for relatively small peacekeeping operations and for a small portion of larger operations.

The United States also has reservations about a proposal that one country might have to pay as much as 50 percent of the cost of any operation for which it cast an affirmative vote. Under existing legislation, the U.S. legation is not authorized to vote for an assessment in which the U.S. share is more than 33⅓ percent.

The proposal now before us would also lay down new procedures for the initiation of peacekeeping operation by the General Assembly. My delegation reserves the right to return to a discussion of the proposal after other delegations have had an opportunity to be heard.

At this point I shall simply express our reservations on that procedural change which would have the effect of counting abstentions as a negative vote. Such a change could result in the failure of a peacekeeping operation favored by a very substantial majority of members—by a vote, for example, of 77 in favor, 10 against, and 30 abstentions.

These remarks have concentrated on the vital issues of initiating, supervising, and financing of peacekeeping operations. But our review of peacekeeping operations would not be comprehensive if we stopped here.

Recent experience has revealed a number of shortcomings in United Nations peacekeeping operations. Some of these shortcomings are inherent in any international peacekeeping system. But others may be remediable by better advance planning. We need to consider additional steps which can be taken now to enable the United Nations to carry out future peacekeeping missions with greater speed and effectiveness.

The Secretary General has urged United Nations members to earmark military units which they might make available on request to the United Nations. Such earmarking has already been undertaken by Canada, Denmark, Finland, Iran, Italy, the Netherlands, Norway, Sweden and New Zealand.

Earmarking has very practical advantages. It signifies a serious intention by nations to participate under certain circumstances; units or resources are identified; they prepare and train in terms of probable United Nations needs. The availability of units is, of course, subject to a national decision to participate in each particular case. But there is more than a psychological advantage to the United Nations in having identified, trained, and committed units available for United Nations service.

This flexible United Nations callup system could be strengthened in a number of different ways:

Within the Secretariat itself, there should be contingency planning on how to meet possible future peacekeeping emergencies. Based on such planning, the United Nations could identify the personnel, equipment and services which peacekeeping operations might require. It could also solicit the earmarking of the necessary personnel, equipment and services from various member States—encouraging contributions from countries in all geographic areas.

The units thus earmarked could be trained in the specialized skills and unique problems involved in United Nations peacekeeping operations. The United Nations could prepare training manuals and encourage standardized equipment and military procedures.

Some countries may be unable to assume the full burdens of training and equipping units for United Nations service. A program might be organized to train officers and those types of specialized personnel—for example, communications specialists—whose scarcity has hampered previous peacekeeping operations. Aid to earmarking countries could be made available through the United Nations or through members.

Of course, Mr. Chairman, the crucial ingredient in the United Nations capacity to keep the peace does not lie in particular arrangements. The crucial ingredient is political and moral. It is our determination to rely on the United Nations, to use the United Nations, to have confidence in the United Nations operating capacity. The stakes are so high that we should be willing to take chances on the United Nations capacity to act, and to back it up even when some of its particular decisions go against our immediate national desires. For the risks of a United Nations without the capacity to act are far greater than the risks of a United Nations with that capacity.

Let us put our faith in this Organization's ability to take on increasingly difficult peacekeeping tasks around the globe. It will make mistakes. It will annoy all of us some time, and some of us all the time. Despite these frustrations, we should be willing to risk reliance on United Nations peacekeeping, because the alternative—of immobilizing the United Nations in one of its key areas of activity—is too great a risk for us to take. It conjures up the specter of uncontained disorder and violence which could escalate into a world holocaust.

For this reason we share the view already expressed by other delegations that this Assembly should seek to crystallize the broad measure of agreement that already exists on the initiating, supervising, and financing of peacekeeping operations. We cannot permit the interests of the cooperative many in a workable system of peacekeeping to be frustrated by the demands of a reluctant few.

This committee bears a special responsibility at this critical period in the life of our organization to preserve and strengthen the capacity of the United Nations to discharge its principal responsibility contained in the charter. As Ambassador Adlai Stevenson put it less than 1 year ago in his address to the General Assembly: "I, for one, cannot escape the deep sense that the peoples of the world are looking over our shoulders—waiting to see whether we can overcome our present problem and take up with fresh vigor and renewed resolution the great unfinished job of peace."

RESTORING PARCEL POST DELIVERIES AND OTHER ESSENTIAL POSTAL SERVICES

Mr. BREWSTER. Mr. President, I wish to extend my heartfelt congratulations to the new Postmaster General, Lawrence F. O'Brien, and to President Lyndon B. Johnson, for their courageous decision to seek funds from Congress to restore parcel post deliveries and other essential postal services throughout the country.

This action marks the first time in modern times—the first time, indeed, in at least the last half century—that a Postmaster General of the United States has had the courage to petition Congress for funds to improve the postal service.

Every other Postmaster General in the last 50 years has either reduced the service through administrative actions—or accepted with docility cuts imposed upon the service by reason of inadequate appropriations—or has been content to ride along with the status quo.

When Larry O'Brien appeared before the Senate Committee on Post Office and Civil Service on September 1 of last year, seeking confirmation of his appointment, he assured us that his principal objective as Postmaster General would be to improve the rapidly deteriorating postal service. Of course, there is nothing unusual about that. Every candidate for the position of Postmaster General says that. But Larry O'Brien is unique in that he obviously meant what he said—and had the intestinal fortitude and the wisdom to try to do something about it.

The cuts in service which the Postmaster General and the President are seeking to restore were ordered back in May 1964. As many Senators will recall, I was sharply critical of this setback to the postal service then—and I have remained sharply critical ever since.

I would be less than fair, Mr. President, if I did not pay tribute at this time, also, to the leadership and membership of the National Association of Letter Carriers who have carried on an effective and unremitting campaign for the past 20 months to have these unwarranted reductions in service canceled.

One objective of the Postmaster General—backed by the President of the United States—is to restore 6-day delivery of parcel post in 6,091 cities where delivery was cut back to only 5 days a week. This reduction caused an unconscionable bottleneck in many communities and reduced parcel post, which already was in poor shape, to a national laughing stock.

Another objective is to increase window service in post offices and postal station in 15,000 locations throughout the Nation. The reductions in window service ordered in May 1964, have been causing a completely unwarranted hardship on the patrons of the Post Office Department. In some areas they were making it hard to do business with the local post office.

The Postmaster General's request will also permit post offices to sell money orders on Saturdays—a necessary convenience that the order of May 1964 eliminated.

I might add, Mr. President, that when the cuts were originally ordered, claims were made that they would effect a significant reduction in postal expenditures and would, thereby, reduce the so-called postal deficit by a large amount. Of

course, the savings never came anywhere near the prediction. Savings resulting from service curtailments never do. Whenever the postal service is curtailed, we do a disservice not only to the American people, but also invariably fail to accomplish savings proportionate to the trouble and anguish caused.

Mr. President, when the curtailment order was issued in May 1964, I was one of the first to criticize the move. Now that the new Postmaster General has shown the courage to ask for a restoration of service, I wish to be one of the first to congratulate him and to pledge him my support.

I sincerely hope that Congress will accede to his wishes and will grant the funds necessary for a complete restoration of service.

THE NORTH TONGASS TIMBER SALE, LARGEST IN THE HISTORY OF THE U.S. FOREST SERVICE

Mr. GRUENING. Mr. President, 3 weeks ago, when I was in Alaska, I had the privilege of attending the auction incidental to the largest sale of timber ever conducted by the U.S. Forest Service. It dealt with a tremendous area of forest cover in the Tongass National Forest, which blankets nearly all of southeastern Alaska.

This was an important event for the economy of Alaska and disposes of most of the remaining timber resources in that national forest. Previous sales have provided the timber resources for two great pulp mills, one at Ketchikan, established 12 years ago, and another subsequently established at Sitka. For many years these vast timber resources were neglected, were dying on the stump, and were thereby violating basic conservation principles. In the last 12 years, a more enlightened attitude has prevailed. These resources are now being utilized and will be enhanced by the scientific cutting which the Forest Service prescribes.

An excellent account of this occasion, written by Vern Metcalfe, of Juneau, radio commentator, reporter, and former member of the Alaska Legislature, appears in the January issue of American Forests, entitled, "North Tongass Timber Sale," and I ask unanimous consent that this article be printed at the conclusion of my remarks.

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

NORTH TONGASS TIMBER SALE

(By Vern Metcalfe)

JUNEAU, ALASKA.—A timber auction, pitting 2 of the top companies in the United States against each other, held some 100 residents of Alaska riveted to their seats for a grand total of 31 minutes before the St. Regis Paper Co. emerged as the ultimate winner. They were arrayed against the Champion Paper Co. in a spirited contest that saw each nickel increment bid cost the bidders $43,750—had they been successful.

At stake was a 50-year contract to harvest some 8,750 million board feet of timber over that period but the auction conducted in Juneau on December 17, 1965, actually covered only 10 percent of the timber and for a 5-year period. St. Regis finally brought the bidding to a halt with a bid of $5.65 per thousand board feet of stumpage after the Government opened the contest by noting that a minimum bid of $3.30 would be acceptable.

St. Regis won the contest and agreed that they would pay the Government a total of $4,943,750 for cutting the first 5-year increment on the largest sale ever conducted by the U.S. Forest Service in their long history. Russ Lockhart, chief of the branch of timber management for region 10 of the Service, was the auctioneer during the hectic 31-minute bidding period.

Lockhart announced at the beginning that the Government's minimum price on stumpage was the aforementioned $3.30 per thousand board feet and then opened bids from St. Regis and Champion. Both were an identical $3.30 and then Lockhart announced that the competitive auction would get underway with each bid being an additional 5 cents, providing both companies agreed. Jerry Jackson, a vice president of Champion, and Paul M. Dunn, a vice president of St. Regis, agreed to this stipulation.

The bidding was brisk and rapidly hit the $3.60 mark when reporters noted that both teams of bidders were doing rapid calculations with pencils. When St. Regis finally hit the $4.10 mark, Jackson called for an extension on the blackboard and a Forest Service accountant ran one up on the calculator he had on a desk. The figure read $3,500,000 and bidding resumed. Champion bid $4.75 after Jackson conferred with C. Girard "Jebby" Davidson, who heads up the Alaska Pacific Timber Co. of Wrangell. Davidson, a former Under Secretary of the Interior under President Truman, was seated directly behind Jackson throughout the bidding and they conferred frequently.

After St. Regis hit the $5.00 mark, Champion again called for an extension, which by now had reached $4,375,000 and following a short recess the Champion company broke the nickel mark for the first time by bidding $5.10. St. Regis, who never once called for an extension or a recess, immediately bid $5.15 and the bidding continued. Champion bid $5.20 and then immediately called for a 5-minute recess after which St. Regis bid $5.25. The bidding continued until St. Regis, never missing a new bid by more than seconds, hit the $5.55 mark and at this injuncture Champion again called for a recess and an extension. The latter indicated that $4,812,500 was riding on the line.

After the recess Champion bid one more time and when St. Regis came in with $5.65, the Hamilton, Ohio company threw in the competitive sponge. Jackson, who has spent a considerable amount of time in Alaska, noted that his company and several others had spent several hundreds of thousands of dollars on researching the sale and that he felt they could go no further. He congratulated St. Regis and added, "Champion will be back in Alaska again."

The St. Regis company was the second highest in gross sales last year of all domestic U.S. timber companies with sales of $617 million.

The sale was greeted with enthusiasm by the staff of region 10, headed by Regional Forester W. Howard Johnson. Johnson had, before the bids were received, told the crowded auction room that, "this is another milestone in the history of Alaska * * * it is a most important and serious business for everyone concerned."

The sale attracted any number of State and municipal officials including U.S. Senator ERNEST GRUENING, at home for the Christmas holidays. His teammate in the Senate, E. L. BARTLETT, missed the auction only because of a flight delay into the capital city caused by inclement weather. Also in attendance were three mayors, including two from the immediate area—Lauris S. Parker of Juneau and Guy Russo, from neighboring Douglas. Both communities figure to be in the center of any timber industry complex since the entire sale is such that the Juneau-Douglas area would be in the middle of the operation. Also on hand, though, was Mayor John O'Connell, a member of the State house of representatives, of Sitka, which is presently the site of a huge Japanese pulpmill.

Dunn indicated to reporters that the millsite was still not pinned down and that the mill would be a kraft paper type of operation. He also indicated that there would quite possibly be other operations involved since the utilization of the resource would indicate that the hemlock and spruce would also support a sawmill, a veneer plant, and, quite possibly, a chip type of operation.

Dunn was joined in the bidding by R. L. Martin who is the St. Regis manager of logging and forestry operations out of Tacoma. In fact, Martin did the actual bidding while Dunn sat at the same table and utilized a pencil to make his own extensions of cost. Also in attendance were numerous logging and timber company leaders from throughout southeast Alaska including representatives of both Ketchikan Pulp and Alaska Timber & Pulp Co. (Sitka).

Forest Service officials indicated they were not only delighted by the results but more than slightly surprised by the price garnered in the auction. Conservative figures indicate that if the entire project is carried out as envisioned by the Forest Service planners, the Greater Juneau area might well receive over $200 million in plant and service facilities over a period of 10 years.

WYOMING—HOME ON THE RANGE

Mr. McGEE. Mr. President, my State, Wyoming, celebrated in the year just past its 75th anniversary as a member of the Union of States. It was a great event, chronicled in many publications. Among these was the Reclamation Era, the quarterly publication of the Bureau of Reclamation.

Reclamation Era's article deserves special note, for it is a concise history of Wyoming, written by the acknowledged authority, Dr. T. A. Larson, head of the Department of History and Director of the School of American Studies at the University of Wyoming. His definitive History of Wyoming has recently been published by the University of Nebraska Press and has, despite its newness, already achieved its place as the standard reference on Wyoming's past.

For the people of Wyoming, I want to thank the Bureau of Reclamation and Department of Interior for the fine lead article by Dr. Larson in the November Reclamation Era. I ask unanimous consent that the article be printed in the RECORD.

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

SEVENTY-FIVE YEARS OF STATEHOOD FOR WYOMING, "HOME ON THE RANGE"

(By Dr. T. A. Larson)

When statehood for Wyoming passed the U.S. House of Representatives in March 1890, almost 2,000 miles west of Washington, D.C., jubilation erupted in all towns of the would-be State. Church bells rang, firebells clanged, train whistles shrieked, trumpets blared, bonfires blazed, and citizens cheered.

A former Governor, George W. Baxter, declared: "It means the dawning of a brighter day, the beginning of an era of unparalleled prosperity."

That Wyoming should have achieved statehood so soon after the winter of 1886–87 bordered on the miraculous. In that bitterly cold and blustery winter 3 years earlier, Wyoming ranchers had suffered cattle losses variously estimated at from 15 to 75 percent. Many, of course, were wiped out; most of them stoically started to rebuild their herds, exhibiting that rugged perseverance and pride which have since become trademarks of the Equality State and its people.

The admission to the Union of Wyoming as a State at such a low ebb of its economy, as well as the admission of the Dakotas and Montana the previous year, is said to have been due to political considerations. However, the politics were far away in Washington, and did nothing to dampen the enthusiasm of the settlers on the plains who celebrated the great event in 1890.

This year, three-quarters of a century later, the descendants of those first Wyomingites are again exhibiting the same colorful and lusty pioneer spirit.

The State has traveled a long road since statehood.

During much of the 19th century, Wyoming was "a thoroughfare rather than a destination." It is true that trappers had lingered while they pursued beaver in lush and beautiful valleys, but with the decline of the fur trade, people passed through as quickly as possible on their way to Oregon and California.

While large areas of sagebrush and outcrops of barren rock repelled farming in many locations, other areas were fertile and rewarding to the sturdy and resourceful hand. And while prospectors searched, mostly in vain, for valuable deposits of precious metals, wild game and spectacular mountain scenery intrigued sportsmen and attracted a few permanent settlers.

REACHED BY RAILROAD

The laying of the rails for the Union Pacific Railroad across the area led Congress to establish Wyoming territory in 1868.

Thus, people who considered themselves pioneers rode to their frontier homes in Wyoming, not in covered wagons, but in railway coaches or Pullman cars.

As the railroad advanced, several towns—Cheyenne, Laramie, Rawlins, Green River, and Evanston—were strung like beads on a string across the southern part of the territory. Then completion of the railroad was followed by an economic setback which threatened to erase the young territory; even President U. S. Grant, in December 1872, favored distributing the land among surrounding territories and States.

This debacle was averted, however, and the population increased to 20,000 by 1880, enough to keep the struggling territory from being sidelined. Then in the 1880's came a spectacular boom in the open-range cattle business, as hundreds of entrepreneurs arrived with vast herds from Texas and other places. Where there had been only 450,000 cattle in 1879 there were 1,500,000 in 1885. As the range became overcrowded, the cattlemen, who had been depending almost entirely on public land, realized that they must acquire title to more of the land they used. More land was filed on in 1884—549,386 acres—than in all the previous 14 years taken together, and the number of filings in 1885 and 1886 approached those of 1884. The picture in the middle 1880's was one of big cattlemen grabbing up what land they could by fair means or foul.

Winter losses were a part of the open-range cattle business. The common view, said a Laramie editor in 1876, was that it is cheaper to lose 3 or 4 percent than to put up hay, provide shelter, and hire herders. Ten years later, the winter of 1886–87 took its grim toll and picking up the pieces afterward took time. Genuine rehabilitation would take many years and would involve smaller herds, improved management, and greater attention to the need for shelter, feed, and water.

Statehood brought with it almost universal optimism. In the newborn State of 62,555 people (including 1,850 Indians on the Wind River Reservation) joy soon gave way to gloom, as economic growth proved elusive. The State's property valuation for tax purposes held steady at about $30 million every year in the period 1890–98. No important industrial development occurred, although there was a small expansion in coal mining. Delegate to Congress Joseph M. Carey had assured the U.S. House of Representatives in 1890 that Wyoming had unsurpassed mineral resources, but nevertheless most of the State's minerals were what economists call "neutral stuff" which could not, for the time being at least, be marketed at a profit.

RECLAMATION POSSIBILITIES

At first Mr. Carey also was overoptimistic about the possibilities of reclamation. When private enterprise irrigated only hay meadowland near streams, Wyoming's first State engineer Elwood Mead and his close associates Senators Francis E. Warren and Carey turned to the State and Federal Governments for aid.

In 1894, Congress passed the famous Carey Act, which was named after its author. Several years later, dissatisfied with the slow progress under the Carey Act, irrigation promoters went again to the Federal Government. Wyoming's Senator Warren and Representative Frank W. Mondell worked hard for passage of the Newlands Act of 1902. Soon reclamation claimed the combined interest of private, State, and Federal effort.

Wyoming's first Federal project, the Shoshone in 1904, took over a stalled Carey Act project which had been started by William F. Cody. By 1910, Buffalo Bill Dam was completed and crops were growing on 15,000 acres of the project in the vicinity of Ralston, Powell, and Garland. Completion of the State's second Federal project, the North Platte, soon followed, involving construction of the Pathfinder Dam, 40 miles southwest of Casper.

As reclamation was pushed with vigor in the years just before the First World War, so also was dryfarming. "All crops must be irrigated," the station agriculturist at the University of Wyoming Experiment Station had warned in 1891. Yet the temptation to try dryfarming proved irresistible, and where only a few bold spirits had tried it before 1900, a few thousand set to work in the next decade, especially in the eastern counties where normal rainfall approached 16 inches annually.

After the legislature in 1907 appropriated $5,000 for dryfarming experiments, the State employed a director of dryfarming experiments, who traveled all over the State giving advice and assistance. Congressman Mondell aided the cause by introducing and ushering through Congress the 320-acre homestead law of February 1909. Unhappily, in 1910 and 1911 came drought, widespread crop failures, and reduced dryfarming acreages.

LAND PATENTING

Inflation and prosperity in 1917 and 1918 persuaded many rural people to enlarge their holdings by exhausting whatever unused rights they had under the various land laws, and townspeople joined in the homesteading spree. Almost 10 million acres of land were patented in the 1920's, nearly doubling the amount in private ownership, and bringing the total up to 40 percent of the State's area. Another million and a half acres passed to patent in the 1930's before vacant, unreserved, and unappropriated lands were withdrawn by Executive order in 1934.

Despite the land rush of the 1920's, the number of farm and ranch units and the rural farm and ranch population increased only slightly. People already on the land in 1919 sooner or later came into possession of most of the newly homesteaded land. Moreover, they did not plow up much of the newly acquired land. Cropland harvested increased only from 1,153,624 acres in 1919 to 2,007,751 acres in 1929. The acreage harvested in 1929 represented only 3 percent of the State's area, illustrating once again the persistent dominance of livestock.

Congress frowned on new reclamation starts in the 1920's as emphasis shifted to salvaging old projects. In 1920 the U.S. Bureau of Reclamation was persuaded to try rehabilitating the Riverton project. After much pleading, Senator John B. Kendrick in 1933 won President Franklin D. Roosevelt's approval for the Casper-Alcova project, known as the Kendrick project after 1937.

In the 20 years since World War II, Wyoming people have enjoyed good times. And yet there has been no spectacular economic growth. The State's increase in population in the decade 1950–60 was only 13.6 percent, which may be compared with 18.5 percent for the United States. In 1965 the State is what it has always been, mainly a producer of raw materials to be exported for processing elsewhere.

In terms of present cash receipts, production of minerals is the leading industry, agriculture-livestock is second, and tourism is third. Oil and gas (mostly piped out) bring in as much money as agriculture-livestock and tourism taken together, while uranium, coal, trona, and iron ore bring in additional millions.

Cash value of product, however, does not tell the whole story. Economic multiplier studies suggest that the minerals dollar has less impact on the State than the agriculture or tourist dollar, since so many of the minerals dollars go to outside owners. A University of Wyoming economist has calculated that minerals in 1963 were responsible for 30.9 percent of the State's total economic activity; agriculture-livestock, 20.3 percent; the Federal Government, 11.5 percent; out-of-State travelers, 10.1 percent; investment in construction including that of the Federal Government, 8.6 percent, and manufacturing, 5.9 percent.

RESULTS OF MULTIPLE PURPOSE

In postwar years the U.S. Bureau of Reclamation has spent more than $150 million on multiple-purpose projects in the State. These projects provide power, recreation, supplementary irrigation water, and a small number of new irrigated farms. About ½ million acres of the State's 62 million acres are irrigated, the main crops being hay, sugarbeets, and dry edible beans.

Outstanding among the newer reclamation projects are Glendo and Boysen. Also the Flaming Gorge Dam in Utah has made a reservoir which extends almost as far north as Wyoming's city of Green River.

Wyoming became a great oil producing State in the years after the Second World War, as production rose fourfold, leveling off at about 140 million barrels annually in the 1960's. Unhampered by proration, Wyoming rank fifth among the States in petroleum production.

The fastest growing industry in the 1960's is tourism, with Grand Teton National Park and Yellowstone National Park each welcoming about 2 million visitors annually.

Expanded iron ore output, production of trona and uranium, two huge coal-burning steam powerplants at Glenrock and Kemmerer, and installation of intercontinental missiles around Cheyenne have bolstered the economy without satisfying the urge for faster growth. Various State and local agencies have been trying to diversify the econ-

omy and to reduce the considerable loss in employment which comes in winter. At present, the State has the smallest manufacturing employment of the 50 States (6,500 in April 1965).

Industrialization and diversification (and court-ordered reapportionment), if they come, could weaken the influence of the Wyoming Stock Growers Association, which has always been very powerful in the State's politics. Conceivably the State might then even lose its Cowboy State image.

Wyoming has another name besides that of Cowboy State. It is also called the Equality State because it was first among the States to give women full rights to vote and hold office. Although all States are now equality States, Wyoming will ever keep fresh the memory of its pioneering in the realm of women's rights.

Meanwhile, the people of Wyoming continue to be fiercely proud of the record they have made in the face of obstacles which would have stopped less energetic, less hard working folk. Until new payrolls come and bring great changes, the 350,000 people of the Cowboy State will treasure the privilege of living in an uncrowded Commonwealth—the Old West's home on the range.

LEAGUE OF WOMEN VOTERS OF THE UNITED STATES OPPOSES DIRKSEN AMENDMENT TO REVERSE SUPREME COURT ON ONE-MAN, ONE-VOTE

Mr. DOUGLAS. Mr. President, on January 12, the League of Women Voters announced, in effect, its opposition to the Dirksen amendment to reverse the Supreme Court on State legislative reapportionment. National League President Mrs. Robert J. Stuart said that the Court's decision that the equal protection of the laws requires both houses of a State legislature to be based substantially on population should be maintained and that the U.S. Constitution should not be amended in any way which would allow consideration of factors other than population. The league, she announced, will oppose any such amendments introduced in this session of the Congress.

Mr. President, this is one of the most encouraging developments since the Court acted in June of 1964 to enforce this guarantee of the Constitution. Mrs. Stuart described the league position as reflecting a "truly nationwide consensus" of the league's 145,550 members in some 1,200 chapters throughout the country. Further, Mrs. Stuart said that the national league had received local consensus reports on this issue from leagues in all sections of the country and that there was no evidence of a rural-urban or geographic split. I think the Nation owes the League of Women Voters its highest commendation for undertaking a thorough study of this fundamental question nationwide. Its effort and its report are in the highest tradition of the league's civic leadership, and its long-standing interest in more effective State governments.

I ask unanimous consent that the league's "Statement of Position of Apportionment of State Legislatures" along with the text of a new release, both dated January 12, 1966, be printed in the RECORD.

There being no objection, the statement and news release were ordered to be printed in the RECORD, as follows:

STATEMENT OF POSITION ON APPORTIONMENT OF STATE LEGISLATURES AS ANNOUNCED BY THE NATIONAL BOARD OF THE LEAGUE OF WOMEN VOTERS OF THE UNITED STATES, JANUARY 12, 1966

The members of the League of Women Voters of the United States believe that both houses of State legislatures should be apportioned substantially on population. The league is convinced that this standard, established by recent apportionment decisions of the Supreme Court, should be maintained and that the U.S. Constitution should not be amended to allow for consideration of factors other than population in apportioning either or both houses of State legislatures.

Of overriding importance to the league in coming to this decision is the conviction that a population standard is the fairest and most equitable way of assuring that each man's vote is of equal value in a democratic and representative system of government. Other considerations influencing league decisions are that the U.S. Constitution should not be amended hastily or without due consideration because of an unpopular Court decision, and that individual rights now protected by the Constitution should not be weakened or abridged.

Against the background of its long-standing interest in State government, the league also hopes that by maintaining a population standard State government may be strengthened by insuring that State legislatures are more representative of people wherever they live. Finally, the league feels certain that the term "substantially" used in Supreme Court decisions allows adequate leeway for districting to provide for any necessary local diversities.

LEAGUE FAVORS ONE-MAN, ONE-VOTE

WASHINGTON, D.C., January 12.—The League of Women Voters of the United States today came out in favor of the Supreme Court's one-man, one-vote decision.

National League President Mrs. Robert J. Stuart said league members are convinced that the Court's standard for apportioning both houses of State legislatures substantially on population should be maintained and that the U.S. Constitution should not be amended in any way which would allow consideration of factors other than population. Any such amendments introduced in this session of Congress, she went on to say, will be opposed by the League of Women Voters.

According to the league president, the overriding consideration influencing the league decision was the conviction that population is the "fairest and most equitable way of assuring that each man's vote is of equal value."

The new league position was announced at the close of a 5-day meeting of the organization's 17-member national board of directors.

Other considerations taken into account by the league in reaching its conclusions were the beliefs that the Constitution "should not be amended hastily or without due consideration because of an unpopular Court decision and that individual rights now protected by the Constitution should not be weakened or abridged."

By supporting the population standard, Mrs. Stuart said league members hoped to insure more representative legislatures and thus stronger and more effective State governments, a long-standing interest of the League of Women Voters.

Mrs. Stuart described the league position as reflecting a "truly nationwide consensus" for upholding the population standard. She said the national league had received local consensus reports from leagues in all sections of the country and that there was no evidence of a rural-urban or geographic split.

Although 30 State leagues had been active in the apportionment field within their own States, no effort was made to reach nationwide agreement until last May.

In light of congressional developments at that time, league delegates from all 50 States and the District of Columbia voted at a Washington meeting to take up a study of apportionment with the goal of reaching a nationwide agreement by January 1966.

(According to league procedures, no action either supporting or opposing specific legislation can be taken until a consensus of members has been reached at the appropriate organizational level.)

League members studied the issues involved during the summer and fall and last month sent their conclusions to the national office.

During this week's meeting, board members also discussed plans for the league's convention in Denver May 2 through 6 and proposed a 1966–68 program developed from recommendations reported by local leagues.

This proposed program will be announced in the National Voter, copies of which are sent to the league's 145,550 members, and will be voted on by delegates to the national convention.

National officers and directors attending the meeting were:

President: Mrs. Robert J. Stuart, Spokane, Wash.

First vice president: Mrs. William H. Wood, Bladensburg, Md.

Second vice president: Mrs. William S. Morgan, Norman, Okla.

Secretary: Mrs. Tyler Shinn, Fairfield, Conn.

Treasurer: Mrs. Hans-Arnold Fraenkel, Hartsdale, N.Y.

Directors: Mrs. Bruce B. Benson, Amherst, Mass.; Mrs. John A. Campbell, Indianapolis, Ind.; Mrs. William N. Christopherson, Louisville, Ky.; Mrs. Louis Hirsch, Tucson, Ariz.; Mrs. John D. Kenderdine, Holtwood, Pa.; Mrs. Colin J. Macdonald, Dallas, Tex.; Mrs. K. E. Montgomery, Eugene, Oreg.; Mrs. W. Eugene Pharis, Webster Groves, Mo.; Mrs. Haskell Rosenblum, Washington, D.C.; Mrs. Vernon C. Stoneman, Belmont, Mass.; Mrs. John F. Toomey, Narragansett, R.I.; Mrs. Robert Zurbach, Pasadena, Calif.

Mrs. George A. Little, of Old Greenwich, Conn., league observer to the United Nations, also attended.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

WILD RIVERS ACT

The PRESIDING OFFICER. Without objection, the Chair lays before the Senate the unfinished business, which is S. 1446.

The Senate resumed the consideration of the bill S. 1446, to reserve certain public lands for a National Wild Rivers System, to provide a procedure for adding additional public lands and other lands to the System, and for other purposes.

ORDER OF BUSINESS

Mr. MORSE. Mr. President, with the approval of the majority leader, the acting majority leader, and the acting minority leader, I ask unanimous consent that I may be permitted to make a speech on a nongermane subject for such a period of time as may be required by me to make the speech.

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

ALLOWABLE TIMBER CUTS ON FEDERAL LANDS IN OREGON—A TEMPEST IN A TEAPOT

Mr. MORSE. Mr. President, I wish to speak for a few minutes on the subject of allowable timber cuts on Federal lands in Oregon, a tempest in a teapot. The speech deals with a subject matter which has given rise to a controversy in my State.

In my judgment there is a great deal of misunderstanding in regard to the report that was prepared in 1960, on a confidential basis, for the Department of Agriculture. It was never prepared for publication purposes, but to advise the Department of Agriculture and its forestry officials on the view of this recognized expert on forestry problems, Professor Duerr, of Syracuse University.

Mr. President, in fairness to Professor Duerr and all others concerned, inasmuch as I represent the State in which the controversy has developed, I believe I should make the following statement:

Mr. President, this fall an Oregon State Legislative Interim Committee headed by Republican State Senator Robert Smith announced in the Oregon newspapers that some Forest Service working papers styled as the "Duerr report" should be released for the purpose of "starting a brush fire" in the national forests in the State of Oregon.

I would describe this proposal for a brush fire as a proposal for a political brush fire.

The national forests and the Forest Service are a part of the U.S. Department of Agriculture, a Federal agency under the supervision of the able Secretary of Agriculture, Orville Freeman. Legislative oversight with respect to this agency is exercised by the committees of the U.S. Congress including, but not limited to, the Committees on Appropriations, Agriculture and Forestry, Interior and Insular Affairs, Public Works, Government Operations, and Small Business.

I am not aware that the Constitution has vested any powers in, nor reserved to the States, any authority to investigate the activities of a Federal department such as Agriculture or a subordinate Federal agency such as the Forest Service. Nor am I aware that the Public Land Review Commission, a Federal congressional entity, has requested the Oregon State Legislative Committee or any State official to prowl into the subject of allowable Federal timber cuts. The Governor of Oregon, too, is expressing an interest in this subject and, at the close of my remarks, I shall include his letter of January 4 to Secretary Freeman along with other items for the RECORD.

The Governor's statement, in part, is:

> It is anticipated that the committee's findings and recommendations will be useful to the Public Land Law Review Commission created by Public Law 88-606, as well as in establishing guidelines and recommendations for future public land management by all levels of government in Oregon.
>
> As always, officials of the Forest Service in Oregon have been most cooperative during the current interim committee study and we are deeply appreciative of the continually cordial attitude displayed.
>
> Because knowledge of the Duerr report has become widespread, there is obvious concern over the fact certain portions remain unavailable for public review. I am told those sections which are being withheld deal with data on possible cutting practice changes, and that the reason for nonpublication is that the Service wishes to further evaluate such data in the light of agency experience and other factors. This is certainly understandable and, were it not for the fact that many Oregonians, within and without the timber industry, have expressed an interest in this matter, there would be little public attention. As it is, a considerable amount of adverse criticism and resentment is being directed toward the Forest Service. Some have even suggested a need for congressional action.
>
> In making this request, I am mindful of the possibility of politically inspired actions, but I can assure you my office will not be a party to any move to discredit the Forest Service or to any attempt to capitalize at the expense of dedicated public servants.

I want to make a few observations which Governor Hatfield may find of value. First, responsible people tell me that the text the Governor wants released has been available to him and others for 2 months. I know why some want it released and these same people know why they want it released. Because the Forest Service has it stamped as not for publication, they think it can be used to force an increase in the allowable cuts.

Let me say—let us see if it can be done. I have enough faith in the leaders of the Oregon timber industry, in Oregon's conservationists, in Oregon's Governor, in the Forest Service and the Secretary of Agriculture to know that an increase in allowable cuts will be permitted only if sound conservation practice warrants an increase. If some in the lumber industry seek to increase the allowable cut to the detriment of sound forestry and conservation, I say to them, softly and quietly, beware.

Dr. Duerr, in a letter to Republican State Senator Smith, made these observations in describing his paper: He called it "a manuscript, an office report—written for fellow foresters in the Forest Service, not for publication—a technical, in-service office report." In fact, it is headed, "Unpublished excerpts from a preliminary," not final, a "preliminary review draft," not finished, a "draft of a manuscript entitled, 'Timber Trends in Western Oregon, dated August 1960'."

Dr. William A. Duerr, according to press reports, is a forester, on the faculty of the College of Forestry at Syracuse. He served for a number of years in the Forest Service and some time prior to 1960 was a consultant to the Forest Service at Portland, Oreg.

Those who now seek to create the impression that this good professor issued a final report—no this is incorrect. In fact, Professor Duerr, in his letter to State Senator Smith, says he was not even the sole author.

The Secretary of Agriculture has been kind enough to let me read this preliminary review draft, a courtesy that he and the Forest Service have extended to anyone who wanted to do so. I have been one of the last to read it.

The Secretary has also authorized me to insert today into the CONGRESSIONAL RECORD the heretofore unpublished portion of the Forest Service draft into the RECORD. I think a reading will cause responsible people to realize that the text is a draft of ideas and not a finished work.

I think also that responsible people will agree with Professor Duerr, whose name has been so bandied about, that before his ideas could be actually applied, a great deal needs to be done in the field of forest research on regeneration and reforestation of conifers.

The State of Oregon owns over three-fourths of a million acres of commercial forest land; its counties own close to 300,000 acres and private owners own almost 10 million acres of forest land; a total of 11 million of non-Federal forest in my State.

If the Oregon Legislative Interim Committee wants to try out new and novel ideas, untested ideas, they can start on State of Oregon lands.

On the roughly 15 million acres of Federal commercial land, the Federal Departments, competently staffed and well operated, can make their own decisions as they have in the past, using sound technical judgment. I repeat again what I said on November 16 to Secretary Freeman:

> I am not going to let anyone set a brush fire in our national forests.

Now there are three areas where real progress is vitally needed; cooperative, shared, planned, nonoverlapping research. Here the State and Federal effort can and should mesh. Here the Governor and the Secretary of Agriculture can join hands.

A second area is in a greater reforestation effort that embraces all private and publically held lands. Here again the State has a responsibility.

A third area is in the reduction of the annual losses. This involves the wise construction of forest access roads, and a more comprehensive forest management program.

Over the last few weeks, I have had an opportunity to discuss broad conservation needs with Department of Agriculture officials.

They have discussed with me the published report, "Timber Trends in Western Oregon and Washington," which includes an estimate of the longrun level of timber cutting that would be possible in this area under the foreseeable economic factors and the established policies of the public timber managing agencies.

I note with particular interest that the initial draft of the manuscript also contained a final section on possible alternative trends in timber cutting if: First, forest management were intensified much more rapidly than recent trends suggest, and, second, old-growth timber were converted to young growth on public lands much more rapidly than now planned. This second assumption necessarily would involve a large immediate increase in cutting on the national forests and other public lands, followed by

a major drop in output and a short rotation cutting age for second-growth stands.

The Forest Service says this section of the manuscript was not published, because it was a preliminary analysis not prepared for publication and because of the lack of information on the many technical, economic, and social impacts that would result from drastic changes in allowable cut policies on Federal timberlands.

I have found this unpublished manuscript to be stimulating and challenging; yet I can understand why the Forest Service has declined to sponsor its publication prior to this date.

In the Douglas-fir region of western Oregon and Washington, we are blessed with tremendous forests of high-grade old-growth timber. Total saw timber volume was estimated in 1962 to be 702 million board feet, which is more than one-fourth of the Nation's entire saw timber volume. Slightly more than one-third of the saw timber of the Douglas-fir region is in private ownership, and almost two-thirds is in public ownership. About seven-tenths of the public timber ownership is in the national forests. Almost nine-tenths is in Federal ownership and one-tenth is in State and county ownership.

In 1962, 13.8 billion board feet of saw timber was cut in the Douglas-fir region. This is more than one-quarter of the national saw timber cut of 48.4 billion board feet in that year. Approximately two-thirds of the cut of the Douglas-fir region comes from my State of Oregon.

Sound and proper management of this great storehouse of forest resources is of major import to Oregon and Washington and to the Nation as a whole. Under the act of June 12, 1960 (16 U.S.C. 528–531), the management of the national forests is committed to the principle of sustained yield and multiple use.

Under these principles, the mature timber on the Federal lands is being converted to young growth at cutting rates which can be permanently maintained. When the old growth is gone, the second-growth stands will be ready for harvest at approximately the same rate of cutting. This, as I understand it is the concept of providing an even flow of raw materials for forest industry from decade to decade. This is the concept Gifford Pinchot built. This is the concept of forest conservation the people of Oregon believe in.

This is the concept of forest conservation for which I have fought for 20 years in the Senate. Let me make clear to every person and every group in the State of Oregon that I do not intend to let up one iota in my stanch defense of a sound conservation program in connection with timber cutting in our State and elsewhere in the Nation.

Estimates of the age at which second-growth stands will be ready for cutting, and the volume which can be recovered when they are cut, are the major factors foresters tell me they use to determine the rate of liquidation of old-growth timber. Timing and amount of restocking and its subsequent development and protection will determine the volume of second growth. Assumptions as to the sizes of trees which will be utilized and what foresters call the felling-age objective for second-growth harvesting also affect the determination of the old-growth liquidation period.

Holding back old-growth timber so that industry will have an even flow of raw material until second growth is ready for cutting unavoidably means that some trees in the old-growth stands will die before they are harvested. Fortunately, Douglas fir is an extremely long-lived species. It can be stored on the stump for 40 to 50 years. However, in mature forests there is little, if any, net growth because of individual tree mortality. Building roads in advance of harvest cutting can provide the means to salvage a sizable part of such losses, although complete salvage is a practical impossibility. Thus, these losses in the old-growth stands can be reduced. If the old growth is cut too rapidly, the price we will pay is the disruption of the even flow of raw materials from the Federal forests for the forest product industries of the Pacific Northwest.

I want to reemphasize that there are two important premises in the unpublished manuscript which I am inserting in the RECORD today. First is a more rapid intensification of forest management, and the second is an acceleration of old-growth cutting. The first premise has received little or no attention to date in public discussions and press reports on this unused and unpublished draft manuscript.

The basic intensification required in forest management is prompt and adequate restocking of cutovers and burns. Delays in the restocking of areas cut or burned in the past result in serious losses of productive potentials. An honest determination of allowable cutting rates must take into account the lack of restocking on many areas, which is inherent with management intensity now possible.

Good progress has been made by foresters in improving their know-how in reforestation and, in the last 15 years, the rate of reforestation has increased. The proportion of successful planting effort has also increased. Procedures to get conifer trees to grow on dry, hot slopes have been developed. The effects of five decades of fire protection are now showing up at long last in natural reforestation of older burns. On the national forests in Oregon, the backlog of nonforested commercial timberlands has shrunk from 393,000 acres in 1950 to 138,500 acres in 1965. In 1950, 2,542 acres outside of timber sale areas were planted, and in 1965, 9,302 acres.

This is good progress, but much more still remains to be done if allowable cuts are to be increased significantly above present levels.

Further intensification of management to utilize thinnings and to salvage mortality and logging residues is also essential to support an accelerated cut.

Cutting rates on the national forests in Oregon already have been increased substantially in the last 15 years. Listen to the facts, Mr. President. In fiscal year 1952, the allowable cutting rate for the national forests in Oregon was 1,694 million board feet. The actual cut was 67 percent of the allowable, or 1,155 million board feet. In fiscal 1965, the allowable cut for the Oregon national forests was 2,948 million board feet. The actual cut was 120 percent, or 3,540 million board feet.

I am told that the actual cut exceeded the average allowable rate because: first, a backlog of undercuts in prior years was being liquidated; second, accelerated cutting to complete the salvage from the October 12, 1962, windstorm was still underway; and third, the total cut includes salvage and thinning which are not chargeable against the allowable cut.

Thus, in this 13-year interval, the allowable cut has increased by 74 percent and the actual cut has increased by 218 percent. These increases have been made possible by fuller utilization of the forests, ability to log in more remote portions of the forest, and intensification of forest management practices. Further increases in cutting rates would be fully justified when based on further advances in management and utilization.

The national forests occupy the most rugged and mountainous portions of the States of Oregon and Washington. These lands have great value as watersheds and for recreational use. It is essential that timber harvesting be conducted to preserve these watershed and recreational values. Provision for maintenance of natural beauty has been made in the Forest Service high mountain policy which guides cutting at the higher elevations. This policy, which brings alive the real meaning of multiple use, came about because Secretary Freeman, Chief Forester Cliff, and Dr. George Selke agreed with Senator JACKSON and me that the growing needs of forests for people—a growing need for forests for many uses—must be met.

So I take some pride that we joined together to push forward the concept of quality in conservation as advocated by President Johnson if we are to advance and protect the best conservation interests of the Nation.

There are promising leads to more efficient logging methods with less disturbance to soil and scenery in the use of balloons and helicopters for logging. Accelerated research in the application of these new logging tools is urgently needed. Successful development to put these methods into widespread use could well open up possibilities for some expansion of old-growth timber cutting rates. Until such developments become a well-established practicality, the rate of clear-cutting on steep mountainous slopes must be limited by watershed and recreational use conservation needs.

This work, too, as the Secretary of Agriculture knows, has been accelerated because the senior Senator from Oregon has been urging it for the past several years. Oregonians like Glenn Jackson and Faye Sewart, who have stimulated my thinking with their quiet, constructive presentations on the subject of aerial logging, deserve a large share of the credit.

I ask unanimous consent to insert in the RECORD at this point in my remarks a letter I addressed to Secretary Freeman and his response of January 11 dealing with balloon and aerial logging.

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

DECEMBER 9, 1965.

Hon. ORVILLE FREEMAN,
Secretary of Agriculture,
Department of Agriculture,
Washington, D.C.

DEAR MR. SECRETARY: Early this year when the Interior and related agencies appropriation bill, 1966, was under consideration in the Senate, I urged the Appropriations Committee to give serious consideration to the approval of forest engineering research funds for aerial logging, with particular reference to research in the field of helicopter logging. In my statement of March 9, 1965, which I presented to the committee I mentioned that demonstrations of balloon logging were being conducted in national forest areas of Oregon.

It was with a great deal of satisfaction that I learned of the favorable action taken by the Senate Appropriations Committee under which $200,000 was recommended for fiscal 1966 for balloon logging research and an equal amount for research on helicopter logging in the Pacific Northwest. I regarded the action of the committee and the Senate approval of both research items as offering great promise in fostering forest and soil conservation, orderly harvesting of timber, preservation of young trees and greater utilization of land which would otherwise be devoted to access road uses.

Unfortunately, the research items for balloon and helicopter logging were not retained in the conference between the Senate and House.

In 1966 I intend to make a strong presentation on behalf of adequate appropriations for the Forest Service to be used for research in the field of aerial type logging, and particularly balloon logging. I am convinced that early perfection of these systems of logging would advance the harvest of trees on a sound conservation basis, especially in the rugged terrains of the Pacific Northwest, where logging by conventional methods cannot be carried out feasibly.

To advance the case effectively it would be helpful if the Department of Agriculture would supply specific information on potential advantages to be derived from research and operations in the field of aerial logging. The answers to the questions listed below with appropriate reference to the use and possible application of helicopter, balloon or other aerial techniques, would assist me materially in making the case for accelerating this type of research.

I would appreciate it very much if you could supply answers to these questions by January 10, 1966:

1. What are the current annual losses in terms of annual allowable cut from various sources in the public and private forests of the Pacific Northwest Douglas-fir region?

2. Kindly relate the data in question 1, above, to timber trend data and the probable demand upon public and private timber in 1975 and 1985.

3. What is your estimate of the possible increase in allowable cut in the Douglas-fir region of the Pacific Northwest that could be derived through the successful development of new aerial logging systems, such as cable, skyline and balloon and helicopter logging?

4. What would be the anticipated increased revenue to the counties and to the Federal Government incident to an increase in allowable cut mentioned in connection with your answer to question No. 3?

5. What are the anticipated end product revenues to our economy through any benefits you find possible under aerial logging including balloon logging?

6. What effects would aerial logging have in combating soil erosion including the prevention of landslides caused through conventional logging or access road construction?

7. What change in access road costs could be anticipated through the use of a successful method of aerial logging?

8. Please indicate the number of acres of the Douglas fir region of the Pacific Northwest, taken out of production for each mile of access road construction in rugged terrain of that area, which could be retained in production under a successful aerial logging system.

9. How many miles of access road system have been constructed on national forest land in the Douglas-fir region? How many additional miles are estimated to be needed? How many acres and how much additional timber would be added to allowable cuts through substitution of aerial logging?

10. What is the anticipated additional timber recovery per acre in both old growth and second growth stands of timber in the Pacific Northwest both in dollars and volume which could be achieved through a successful system of aerial logging? What would be the total for the Pacific Northwest?

11. How would aerial logging systems advance the concept of multiple use of our national forest lands?

In the light of my letter of November 16 to you on allowable cuts, I cannot stress too strongly my genuine interest in seeking every possible means to legitimately increase the harvest of timber now lost to insects and disease—the loss of productivity due to excessive roads taking land out of timber growing and thus the allowable cut—and production and soil and watershed losses due to erosion.

Failure to act wisely now—delay—will prove costly to the forest resources and those dependent upon its multiple uses. Failure to use all proper means to attain full forest productivity will intensify pressures on the allowable cuts.

While this pressure cannot be avoided, there is a public responsibility to enable these public forest resources to fulfill their ability to do their proper part so that these pressures can be mitigated.

I am equally sure you will appreciate that I continue of the view that it is essential that the construction of mainline access roads under the biennial authorizations from Congress continue to grow. Aerial logging can be an important change which will reduce the need for the so-called spur roads and skid tracts. A general improvement in forest access seems to me to be one of the most important steps that the administration can take now for forest conservation.

In view of the importance of this subject I am directing my office to also send a copy of this letter to the Director of the Bureau of the Budget, and I suggest that you discuss this matter with him.

Sincerely yours,

WAYNE MORSE.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., January 11, 1966.

Hon. WAYNE MORSE,
U.S. Senate, Washington, D.C.

DEAR SENATOR MORSE: This is in reply to your letter of December 9, 1965, to which an acknowledgment was sent December 17, 1965, regarding the potential advantages of operational aerial logging systems being developed by Forest Engineering Research. Aerial logging systems as discussed in our comments below include skyline cables, balloon and helicopter systems and, in fact, any system which results in radical reduction of road mileage and surface operated yarding operations. Information on your 11 items are as follows:

1. The allowable cut of timber in the Pacific Northwest is reduced below potential levels by several types of losses including:

(a) Mortality from fire, insects, blowdown, and other destructive agents. Annual mortality from all causes in recent years has averaged about 5 billion board feet of sawtimber in the Douglas-fir region, plus additional losses of growth in damaged trees and stands. An estimated 3.4 billion board feet of mortality occurs on public lands and 1.6 billion on private lands. A substantial part of those losses is now being salvaged, but the timber harvest in old-growth stands could be further increased through such measures as construction of roads and intensified protection and salvage programs.

(b) Lack of thinning and other cultural practices in young-growth stands. Thinning efforts to date have been limited by such factors as inadequate road systems and lack of local markets for thinnings. The potential increase in timber harvests from intermediate cuttings and other timber stand improvement work on the 18.8 million acres of young forests, and ultimately on the 26 million acres of commercial forest land in the Douglas-fir region, will in time add several billion board feet annually to the region's allowable cut.

(c) Loss of growth on nonstocked and poorly stocked forest lands. Approximately 1.2 million acres of forest land in the Douglas-fir region were classed as nonstocked and 3.5 million acres as poorly stocked with timber in 1962. Replanting of these nonstocked and poorly stocked lands, although difficult and costly in many areas, would permit some immediate increase in allowable cut, and could in time increase the allowable cut of the region by roughly 1.5 billion board feet annually, or the equivalent of 11 percent of the total current cut of 13.8 billion board feet.

(d) Incomplete utilization of timber on logged over areas. Logging residues, including broken sections of trees, cull logs and small diameter material, amounted to nearly 900 million board feet in the Douglas-fir region in 1963, or about 6.5 percent of the total sawtimber cut. Industry has made substantial progress in reducing logging residues, and utilization might be further increased through research, road construction, and salvage programs.

(e) Inability to harvest timber on areas that are inoperable under present logging technology. Currently about 4 million acres of old-growth timber in the Douglas-fir region of western Washington and Oregon cannot be economically harvested under present logging technology. This land cannot be logged for a variety of reasons—steep terrain, unstable soil conditions, low timber values, or the need to protect esthetic and recreational values. About 90 percent of this acreage is administered by various public agencies; about 10 percent is privately owned. In addition, there are some 2.6 million acres of young-growth timber on terrain where thinnings are impractical under present logging techniques. Prior logging on these areas was by clear cutting but thinning operations are made more difficult by the necessity of removing selected trees in such a way as to avoid damage to the residual stand. The loss of allowable cut through inability to harvest timber on nonoperable areas is estimated at about 507 million board feet annually.

2. A recent analysis of the Nation's timber supply and demand situation and outlook indicates that demands for timber products may increase by possibly 40 percent by 1985 and roughly 80 percent by the year 2000. During the next two or three decades, total timber supplies appear adequate to meet those projected demands, although higher

quality softwoods are expected to be in increasingly short supply. Forests in the Douglas-fir region are in a particularly favorable situation because of such factors as timber species and quality and development of strong forest industries in the region. It seems likely, therefore, that increases in allowable cut in the Douglas-fir region from the sources enumerated above would find a market.

3. Advanced aerial logging systems could probably economically log about three-quarters of the currently inoperable old growth and about one-half of the inoperable young growth stands in the Douglas-fir region. This would mean an additional cut annually of approximately 507 million board feet from the region's commercial forest lands which is the figure stated in item 1(e) above.

4. Total stumpage receipts in the region might be increased about $5 million annually by new logging technology. This might include as much as $2.9 million from sales on lands administered by the U.S. Forest Service and the Bureau of Land Management. The portion of receipts going to counties in such case would amount to about $835,000 annually, and the portion of receipts retained in the U.S. Treasury about $2.1 million annually.

5. It is estimated that for each dollar of stumpage value derived from increased cutting on areas opened up by aerial logging total incomes of possibly $9 might be generated in the Douglas-fir region and $20 in the United States as a whole. Assuming that the increased timber cut could be absorbed by the expanding U.S. economy, as seems likely, the total contribution to the Nation's gross national product might thus exceed $100 million annually.

6. Logging road construction is responsible for much of the soil erosion and land movement associated with logging. Because aerial logging systems reduce the mileage of roads needed to log a particular watershed, aerial systems represent an important means to combat soil erosion and landslides in the Douglas-fir region.

Research findings provide some idea of the erosion problems stemming from access road construction. The results of one study in western Oregon showed the concentration of soil particles in stream runoff from the first rain storm after road construction to be 250 times that carried in an adjacent undisturbed watershed. Although there was evidence that the erosion caused by a particular road would subside in time, sediment concentrations for the subsequent 2-year period were significantly higher than preroad construction levels. A recent study on the H. J. Andrews Experimental Forest in Oregon also showed that 72 percent of the landslides occurring during the severe storms in December 1964 were directly associated with logging road construction.

Not all soil erosion associated with logging stems from road construction. Soil disturbance throughout the cutting area may contribute to erosion. Although we can't evaluate aerial systems as yet undeveloped, a study in Washington disclosed that soil disturbance to the watershed was almost three times greater in the case of tractor logging than with a skyline crane. With the development of more advanced aerial systems, we could perhaps expect to see an even greater contrast.

7. Experience to date has shown that aerial logging systems could considerably reduce the mileage of roads required to log timber products from national forests in the Douglas-fir region. In one test on the Willamette National Forest using the Wyseen system, only 0.7 mile of logging road per section was required where conventional logging techniques would have required 7.7 miles. Another aerial system, the Sgagit sky car, was tested on the Cascade Head Experimental Forest. Here, conventional methods would have required 5.19 miles of road per section; the Skagit sky car system needed only 1.59 miles per section.

It seems reasonable to assume that logging road construction in mountainous areas could be reduced by 50 percent as compared to conventional methods through the use of aerial systems. The type of roads which aerial systems will supplant cost approximately $10,000 per mile, so even this conservative estimate of 50-percent reduction could result in remarkable savings with consequently larger income to the Government from timber sales. Savings in road costs may be partially offset by higher logging costs of aerial systems. Even though the unit costs of harvesting may not be reduced in all cases, more land will be open for logging, thus raising the total profit opportunity, and erosion prevention and other esthetic benefits will be realized.

8. For each mile of road constructed in the rugged terrain of the Douglas-fir region, about 5.5 acres of timberland are taken out of production.

9. To date 15,203 miles of access roads have been constructed on the national forests of the Douglas-fir region. On the currently loggable areas an estimated 23,713 miles of roads are still needed under conventional methods. In addition to these access roads which are maintained permanently as a part of the transportation system, a considerably greater mileage of logging roads is needed. These roads amount to from 10 to 20 miles per square mile depending upon topography. It is largely these roads which will be reduced rather than the main timber haul roads. It is conceivable that the mileage per square mile of these logging roads could be reduced over 50 percent. The use of aerial logging systems on all remaining unroaded areas to be logged would permit an estimated 61,860 acres of forest land to remain in production which under full management would produce about 31 million board feet of timber per year.

10. A significant volume of wood fiber in the form of broken tops and chunks, small diameter pieces, and defective cull material is left on the ground after a logging operation. In 1963 for instance, it was estimated that nearly 900 million board feet of sawtimber, or 6.5 percent of the total sawtimber cut in the Douglas-fir region, was left on the ground. However, industry is at present unable to economically use this cull, small sized material, and breakage resulting from tree felling. Aerial systems could reduce breakage associated with yarding, but other research efforts are needed to make more of these logging residues economically available.

11. Development of advanced aerial logging systems will undoubtedly result in multiple-use of more acres in the Douglas-fir region. Aerial methods make it feasible to log in many sensitive areas without major impacts on esthetic, soil, and water values.

Although your questions referred to the Douglas-fir region, the problem of logging difficult areas exists throughout the West. Alaska is particularly plagued with these problems, yet needs added timber production as a basis for economic development. We estimate that in Alaska there are 1,574,500 acres containing 45 billion board feet of timber that are now economically inoperable but which could be logged by advanced aerial logging systems. Assuming that approximately 1 percent of this inventory would be cut annually, advanced aerial systems would make available an additional cut of 450 million board feet per year. (We must admit, however, that there has not been sufficient manufacturing capacity in Alaska to utilize all the currently economically available allowable cut. With the recent preliminary award of a large pulp timber sale to St. Regis Pulp & Paper Co., this situation seems well on the way to resolution.) At a stumpage value of $2.50 per thousand board feet, an additional $1.1 million per year in stumpage receipts would be generated by advanced aerial logging systems. Of this about $280,000 would be returned to the State for the use of local government in financing roads and schools. Even more important would be the many new jobs in Alaska and an increased tax base that would result from harvesting and processing this extra cut into primary products.

An estimated 60 out of a total of 90 miles of temporary roads constructed annually also could be eliminated by using aerial logging systems in Alaska. Costs for the kinds of roads eliminated by aerial systems average about $32,000 per mile and thus a total of $1.9 million per year could be saved for use in further development of the needed multiple-use roads.

We appreciate your interest in this promising part of our research program and the opportunity to respond to your request for the information.

Sincerely yours,

ORVILLE S. FREEMAN.

Mr. MORSE. I digress to say I intend to push for progress in this great step forward in conservation logging.

Secretary Freeman's letter contains clear evidence on how forest allowable cuts can be increased by such means. It refutes the need to engage in mathematical hocus-pocus to increase allowable cuts.

To all who live conservation, it is disturbing that the initial cut in a Douglas-fir forest is unavoidably a severe treatment. The trees are large and heavy and contain much cull material. To obtain efficient regeneration of healthy new stands, clear cutting is silviculturally necessary. Much of this large timber is on steep and broken ground. The Forest Service makes its clear cuts in a patchwise fashion. Conservationists are pleased that foresters recognize that large continuous clear cuts are no longer acceptable from a scenic, watershed, or recreational use standpoint.

My friends from the Middle West and East who frequently visit the great forest areas of Oregon and Washington know whereof I speak when I point out that this selective patchwise cutting that is authorized by the Forest Service should be continued.

I wish to pay my respects to the Secretary of Agriculture, Mr. Freeman, and to Mr. Cliff and his associates for the sound conservation policy that they have developed in respect to the cutting of old growth timber and the so-called mountainside stands of timber.

I say to my friends from the Middle West and East who have come to my State to see its beauties that there was a time when the so-called clear cutting of the mountainsides was complete clear cutting. They mowed the trees down, and left not only the ugly views that resulted from such a practice and waste of God's gifts of these great cathedrals of forests to our people, but they did great damage to the watershed; they did great damage to the soil. The conservationists, under the leadership of such great men as Gifford Pinchot, one of the greatest conservationists of our time, brought to an end this ravaging of so-called clear

cut or old growth timber on the forests of the Pacific Northwest.

I am sorry to say that there are still those who would put profit above their obligations as trustees of God's gift of natural resources to our people.

Mr. President, we can operate a profitable forest industry without forest rape. We can operate a profitable forest industry and keep faith with future generations of American boys and girls by following the sound conservation programs that our Forest Service defends, suports, and advances.

Therefore, I say most respectfully to those in my State who are eager to increase the allowable cut for old growth timber, "Go slow; get your facts; get ready to meet those of us who will oppose any wasteful policy of timber clearcutting that may be proposed, no matter what semantics may be used by those who rightly have as their ultimate design and desire the making of a profit from a conservation resource program. They must not forget that these forests, after all, belong to all the people and not merely some selfish segment of the lumber industry."

Let me make it very clear, that the lumber industry as a whole has to be classified among the sound conservationists of our land.

I know the great change that has taken place in the past quarter of a century within the lumber industry in regard to the entire matter of sustained yield, reforestation, and the use of our forests for multiple-use purposes.

Those who seek to make a "fast buck" out of a program, who would ravage the mountainsides of our great Pacific Northwest where they are taking large stands of old growth timber, do not represent the economic statesmanship characterized by the overwhelming majority of the lumbermen of the Pacific Northwest.

Ability to distribute clearcutting patches over the commercial timber area is dependent upon progress in development of forest roads. Roads make it possible to schedule cutting in the most mature stands and to obtain timber from two sources of additional volume. These are thinnings from second-growth stands, and salvage of dead and dying trees in mature stands.

Most of the Senators in the Pacific Northwest joined together in 1955, with like-minded colleagues in the House, to start the acceleration of the authorizations for forest roads. The authorizations have tripled and today are at $85 million a year. I would remind those who now take this for granted that we made many of these increases over the opposition of the administration then in power.

Foresters now appreciate that the amount of timber which must be reserved from cutting to meet scenic, watershed, and recreational use needs in Oregon quite possibly is greater than present allowances. Increasing population pressures and expanding concepts of natural beauty and watershed management may require classification of additional commercial forest land in areas where the other uses should take priority over timber harvesting and growing. I believe we can accomplish these changes and accelerate forestry practices so that the allowable cut will not suffer substantially.

There is no doubt that the development of timber management plans and the determination of allowable cut for our Federal forest lands will be a continuing effort which takes into account the expected impact of new developments over the period when the next generation of trees will be grown.

The future of the forests of the Pacific Northwest depends in a large measure on accelerating youth-growth management. This means restocking promptly on all commercial forest lands which have been cut over, burned, or otherwise deforested. It means thinning of second-growth timber, both commercially to obtain additional yields which otherwise would be wasted, and non-commercially, in overcrowded juvenile stands. Progress in both second-growth and old-growth management is dependent on development of road systems to permit distribution of the old-growth harvest areas and to enable widespread salvage of dead and dying trees in advance of the entry of clearcutting operations in old-growth areas. Finally, the development of new practical methods of harvesting the old-growth timber without the soil and scenic disturbances of conventional logging methods will affect both the volume and the rate of cutting at which this old growth can be converted into new thrifty stands of second-growth timber.

These are the three major avenues for work by all concerned to increase the economic opportunities of the forest products industries in the Pacific Northwest. As progress is made, foresters can adjust allowable cuts accordingly. However, arithmetic speculation in accelerating the liquidation of the old-growth timber on the Federal lands without provision for the means to increase utilization, to accelerate growth, and to meet the impacts of accelerated cutting on other uses is not a sound basis for allowable revision.

Over nearly seven decades, public foresters have demonstrated time and time again their dedication to the public welfare and dedication to the cause of conservation. They have much support based on their record. I, too, intend to serve the cause of conservation as an elected official. I intend to serve this cause by protecting it from forest destroyers who want to peddle their forest-raiding nostrum by labeling it "conservation." To them I say: "Take note that Dr. Duerr wisely labeled his experimental effort in effect, 'Read instructions clearly—not to be consumed until tested'."

Dr. Duerr, in his November 2 letter to Republican State Senator Smith, clearly told all interested individuals to read the label again. I make the entire record available for all to evaluate. In particular, I call to their attention three exhibits: my letter of November 16 to Secretary Udall, a response from the Secretary, and one from his Assistant Secretary, Harry Anderson.

There are those, too, who are chafing to get a new allowable cut on the valuable Bureau of Land Management timberlands, as well as Forest Service lands, in Oregon. Conservationists in Oregon had better take notice of this fact.

As I have said to many of them in person, I now say to them from the floor of the Senate, as I raise this warning to conservationists: Watch out for those who seek to attempt to rationalize, those who seek justification for increasing the allowable cut on timber in Oregon.

I am gratified and pleased that Assistant Secretary Anderson agrees that any increase in the allowable cut should receive review by the O. & C. advisory boards and various conservation groups prior to adoption.

Those in my State who have a deep interest in conservation should be pleased that the Bureau of Land Management is making a comprehensive review of procedures and standards used in determining the amount of timber available annually.

I am aware that there may be subtle and not so subtle pressures applied to the Bureau and to the Assistant Secretary. I am sure that we in the Oregon delegation will look forward to counseling with Assistant Secretary Anderson and Director Stoddard and their staffs when this proposal reaches the point of requiring initial public discussion.

To those who want a quick unplanned increase in allowable cuts, I serve notice that I do not intend to harry or hurry the Assistant Secretary or this fine Bureau as it proceeds with the comprehensive review now underway. I believe it is sound and wise for the Department to complete its review before it releases its proposal for public comment.

Since the matter of allowable cuts on the national forests has been of interest to some State officials, the thought occurs to me that this interest may be translated into an interest in the Bureau of Land Management's allowable cut. The senior Senator from Oregon would consider this an unfortunate development, akin to a congressional investigation of the Oregon State Board of Forestry's responsibilities in managing State forests. I would consider this an unwarranted intrusion of the Federal Government into the affairs solely committed to the sovereign State of Oregon. Of course, I would oppose it.

The letters and other items I shall place in the RECORD at the close of my remarks are being made available in order that there will be ample notice given that the Department of the Interior has consultative machinery available to it which is quite adequate to assure wide public information on its proposals after the Department has completed its own comprehensive reviews. Since the Department intends to use its proper consultative machinery, I trust that this will allay any unnecessary concerns.

Every 100 million board feet of timber cut and manufactured in Oregon accounts for about 900 jobs a year. Some may contend that this is the reason to up an allowable cut.

The issue is jobs in perpetuity under sustained yield compared to overcutting

which is a "cut out and get out" policy. Today, unfortunately, most of the private timber in Oregon is being cut at a far greater rate than its sustained yield.

To overcut the public timber without a full assessment of what is happening to private timber would be the height of folly.

When we talk about allowable cut we are not just talking about sawmills. We are talking about whole towns, about homes carrying mortgages, we are talking about schools, we are talking about roads, we are talking about the condition of every business on Main Street.

When we talk about allowable cut we are talking about the future. If a gain of 900 jobs now will be more than offset by a loss of jobs in the future, we are talking about a mortgage on the future that never will be repaid.

The inexorable pressures that have marked the cutting of timber in every State show that after the peak years of false glory, the forests of that State have never again cut as much timber. This happened in Washington, in Wisconsin and Minnesota, in Maine and Michigan.

It will happen in Oregon only over my politically dead body; and I never felt more politically healthy than at the present time.

Mr. President, those who tell us now we can cut more timber carry a heavy burden to show that it can be done on a permanent long-term basis.

The conservation and wise use of Oregon's forest resources is vital to Oregon's welfare. Oregon's political leaders have a responsibility to the present and to the unborn generations. We cannot evade or shirk this obligation. A sound sustained yield, conservation, recreational multiuse of our national forests impose upon all Americans a solemn trust to leave our forests in a better condition for the welfare of future generations than that in which we found them. Our Federal public policy should always make clear to those who would ravage our forests that they do not belong to commercial interests but to all of the American people.

The pressure on our forests is increasing on all sides. The clamor to adopt panaceas and rationalizations of selfish groups to ravage our forests will increase unless we are willing to stand up and be counted as trustees of God's gift of these natural lumber resources and succeeding generations. We owe it to our country to be conservationists first. I want there to be no doubt where I stand.

Mr. President, I ask unanimous consent that there be printed at the close of my remarks 16 items relating to the topics I have just discussed.

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

STATE OF OREGON, LEGISLATIVE INTERIM COMMITTEE ON PUBLIC LANDS, STATE CAPITOL BUILDING,
Salem, Oreg., October 27, 1965.

Dr. WILLIAM A. DUERR,
College of Forestry,
Syracuse University,
Syracuse, N.Y.

DEAR DR. DUERR: Pursuant to our recent telephone conversation, I am pleased to be able to invite you to attend a meeting of the Interim Committee on Public Lands.

As you may know, we have been hearing witnesses and discussing your study of timber trends in western Oregon and Washington. Several of the Forest Service personnel have testified before our committee explaining in their terms and word usage the philosophy and intent of your report. Our committee members felt that because of the importance of this subject to the economy of the West, it would only be fair and reasonable to request that the author of this important document be called to interpret its many facets.

The timber industry to the State of Oregon and to the West plays a vital role in the lives and economic future of this area. Our purpose is to guarantee that progress is being made in the area of study and research to provide maximum usage from our timber resources.

I can assure you this committee is not politically oriented nor on any kind of venture to embarrass a public agency or any individual. Your presence and learned testimony would be of incalculable value.

Our committee can meet at any time that is convenient to you and your schedule. Our next scheduled meeting is November 12 and 13. However, should this not be feasible, our plans will be made flexible to fit your schedule. Your expenses plus an honorarium will be made available to defray traveling costs.

I would hope for the sake of proper interpretation of your report and the wealth of knowledge you could present to my committee, you will accept this offer.

Thanking you for your consideration, I am

Sincerely,

ROBERT F. SMITH,
Chairman, Interim Committee on Public Lands.

SYRACUSE, N.Y.,
November 2, 1965.

Hon. ROBERT F. SMITH,
Chairman, Legislative Interim Committee on Public Lands, State Capitol Building, Salem, Oreg.

DEAR MR. SMITH: Your letter of October 27 was here when I got back yesterday from a week out of town. I was at the Society of American Foresters annual meeting in Detroit.

Ever since your phone call, I have been mulling over your invitation to come out to Oregon and meet with your committee. Incidentally, I want you to know that I appreciate the invitation and that I am glad to receive such a courteous and understanding letter as yours of October 27.

It looks to me as though your committee has two areas of interest that are my concern also. One of these is the well-being of forest-based Oregon communities: You want the most reliable information you can get on the forestry situation and prospects so that you can form sound judgments about public policies and programs. The other is the factualness of the record: You want the truth about the position of the agencies and individuals concerned in your inquiries, and I enter here because I'm one of the individuals.

When I look at the first area of interest, I come unhesitatingly to the conclusion that I can be of little help to you. The men who are knowledgeable on Oregon forestry are out there in the State right now: Forest Service and State and academic research and administrative people, Bureau of Land Management foresters, industry folks, landowners, and consultants. Through them you have access to the facts and the wisdom.

(If I may enjoy an aside with you, the terms in which I have been characterized in the papers as a superauthority are hilariously ridiculous. They could have been inspired only by someone who thought I would express the right opinion when asked. If I had been suspected of favoring a doubling of wilderness withdrawals, I would quickly have earned the title of callow, addle-headed easterner.)

Now to come to the second area of interest, that of setting the record straight, it strikes me that so far as I am concerned this can be done very simply. Indeed, I can do it right here in this letter and save you and me the expense and time of my coming all the way out across the country.

1. There is no such thing as a "Duerr report." There is a manuscript—and I understand you have a copy—that was produced by a team. You will find their names in the preface.

2. This manuscript is an office report: It was written for fellow foresters in the Forest Service, not for publication. In fact, the preface says that "translating" would be needed before release—presumably to avoid public misinterpretation. (And I guess that warning might well have been put on the outside cover, too, in red letters.)

3. When I turned the manuscript over to the Forest Service in August 1960, my job and my connection with the project were finished. So far as I was concerned, the manuscript became the property of the Forest Service. It was a technical, in-service, office report (with policy implications, yes; but in this respect no different from many research manuscripts), and the Forest Service was at liberty to dispose of it as they thought best: File it; or pass it around for discussion (actually its greatest value has been just here); or "translate" and publish all or parts of it.

4. The manuscript considers at some length the question of old-growth timber liquidation rates. But it makes no recommendation about the rate, and I myself have given out no recommendation or advice or proposal on this subject. The manuscript explores two outside possibilities respecting old-growth conversion. Just as a warship will try to bracket a target between a long shot and a short one, so we tried to explore the consequences of a long conversion period and a short one, with some confidence that the truth lies within our range.

Now, sir, if there is anything that you and your committee can do to make these facts known and to substitute them for the fiction that has gotten around, I will be in your debt personally and professionally.

I am grateful for your understanding and your tactfulness in my behalf. I hope that I can meet you some day. I have been through Burns on several occasions and have admired the friendliness of the people and the beauty of the countryside.

Best of success to you and your committee.

Most sincerely,

WILLIAM A. DUERR.

NOVEMBER 16, 1965.

Hon. ORVILLE FREEMAN,
Secretary of Agriculture, Department of Agriculture, Washington, D.C.

DEAR MR. SECRETARY: The enclosed report from the Oregonian of October 21 on allowable cuts greatly disturbs me. In particular, while I recognize that State and local governments have a stake in Federal forest operations—they have no direct responsibility and this is especially true of their legislative committees. I am disturbed by this report on several grounds, one of which is the extent to which matters of such significance became public knowledge prior to any advice to the Oregon delegation.

I want you to know that if, as reported in the press, an Oregon State legislator wants to expose Mr. Duerr's report "to begin a brush fire" you will have my help in putting it out. I'm not going to let anyone set a brush fire in our national forests.

We in Congress have a legitimate right of inquiry—I have exercised it in the past and

I shall in the future. However, if I've learned one thing over the years it is how to detect a special interest effort to overcut our forests, under the guise of technical forestry, by recognizing the technique used to put the proposition forward—in this case by resort to a State legislative committee. There is no doubt whatsoever as to the goal—to pressure you and the Forest Service into figuring today's allowable cuts on the uncharted future.

Those who seek to pressure you are afraid to come out in the open and state their case—they seek premature release of studies in forums that lack responsibility or authority. Frankly, I suspect that this Mr. Duerr has been badly used "in absentia" by these tree burners. On this point, I'd be delighted to have any comments Mr. Duerr might make to you on this issue.

Several years ago, when I found millions of board feet of allowable cut in the national forests unavailable because of the access road policy then applied by the Forest Service, you heard from me. The policy change which resulted was in the public interest. Those who wanted to keep this forest cut unavailable argued that the lack of access didn't exist. They were wrong.

Due to the change in access road policy, we got more timber to market—to the lumber mills that needed it—without tinkering with allowable cuts. In fact, we helped forestry because we got the entire area in forest operating circles under active forest management. Policies which afford the maximum opportunity to give your foresters the full kit of tools they need to practice sustained yield will always have my support.

Similarly, your high mountain policy for recreation came about after you, Dr. Selke, Justice Douglas, Senator JACKSON, and I conferred on the need to give proper attention to long-term conservation requirements. Obviously, there will always be policy areas for legitimate inquiry.

The question of the level of yearly cuttings and long-term allowable cut calculations, however, I consider to be a technical matter. Foresters owe us the obligation of explaining what they are doing and why they are doing it in terms we laymen can understand.

Foresters are like the physician to whom we entrust a critical operation. While we don't know what they do in the operating room we give them our confidence and trust in their training and ability. In turn, foresters have an obligation, not unlike the physician's—that of assuring the American people that our forests will be adequate to the needs of our children. As I see it, they do this by arranging to cut trees no faster than they grow. Their basic obligation, however, is to replenish our forest stocks so as to meet adequately the needs of the future. But even more, they must be committed to doing this in a manner that protects the soil, water, and wildlife in our great forests so they can provide properly and perpetually for multiple use and preservation of these resources.

Conservation is too important to America's future to be delivered into the hands of special interest pleaders. As long as I hold a position of responsibility in public life you can count on my active support in the never ending battle to maintain a sound sustained yield program.

Sincerely yours,

WAYNE MORSE.

STATE OF OREGON, LEGISLATIVE INTERIM COMMITTEE ON PUBLIC LANDS, STATE CAPITOL BUILDING,
Salem, Oreg., November 26, 1965.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: We are writing to you in regard to the question that has come before the Interim Committee on Public Lands with respect to a report written in 1960 by Dr. William Duerr, of Syracuse University.

Dr. Duerr was appointed by the Forest Service and spent a sabbatical year in Oregon and Washington studying timber trends in those two States. As a result of his study, the Forest Service published a portion of that work called "Timber Trends in Oregon and Washington."

A portion of the Duerr report was never published and was only included in the original manuscript which was submitted recently to our interim committee.

We have been persistent in our requests to the Forest Service to publish the complete document since one portion introduces an alternative of accelerated allowable cut which we believe important enough for further study. Many people in the State of Oregon have shown an interest in examining the total report, although we have been restricted by the Forest Service to only interim committee use.

Our hope is that you will intervene on our behalf in requesting the Forest Service to allow the complete Duerr report to be released in quantity and that you will assist us in following through if necessary with a congressional level study of the allowable cut policy for timber on public lands in the Northwest.

The pressures from foreign and domestic competition are such today that many of our domestic companies are being priced out of the market and many of our smaller companies are not buying because of the uneconomic timber stumpage price.

Timber and lumber comprise the No. 1 industry in the State of Oregon, providing many payrolls and tremendous investments; therefore the importance of this subject is foremost in our minds.

Even though we believe our evidence is only upon the fringe of the subject, we have reached a definite conclusion that there is a drastic need for further investigation of the alternative of the even flow theory envisioned by Dr. Duerr's report of 1960.

Respectfully,

ROBERT F. SMITH,
Chairman, Interim Committee on Public Lands.

TED HALLOCK,
State Senator.

DECEMBER 1, 1965.

Mr. ROBERT F. SMITH,
Chairman, Interim Committee on Public Lands.

TED HALLOCK,
State Senator, Legislative Interim Committee on Public Lands, State Capitol Building, Salem, Oreg.

DEAR REPRESENTATIVE SMITH AND SENATOR HALLOCK: Senator MORSE is now overseas where he is serving as chairman of an interparliamentary delegation meeting with representatives of Japan, India, and Pakistan. Therefore I am taking the liberty of supplying this interim acknowledgment on behalf of the Senator.

In view of the importance of your request concerning the Duerr report I am communicating with the Chief of the Forest Service and I am expressing Senator MORSE's interest in prompt and thorough consideration concerning the proposed release of the Duerr report.

As soon as our office receives a reply from the Forest Service I shall get in touch with you promptly.

Sincerely yours,

WILLIAM BERG, Jr.,
Administrative Assistant to Senator Wayne Morse.

U.S. SENATE,
COMMITTEE ON COMMERCE,
December 1, 1965.

Hon. EDWARD P. CLIFF,
Chief, Forest Service,
Department of Agriculture,
Washington, D.C.

DEAR MR. CLIFF: The enclosed letter from the Oregon Legislative Interim Committee on Public Lands reveals an interest in distribution of material from a manuscript prepared for the Forest Service by Dr. William Duerr, of Syracuse University. In recognition of the fact that widely divergent views are held on forest management policies, perhaps the Forest Service will want to publish the entire contents of Dr. Duerr's manuscript, with appropriate Forest Service explanatory material, as an aid to those interested in objective analysis of public land policy.

Sincerely,

WAYNE MORSE,
U.S. Senator.

MAURINE B. NEUBERGER,
U.S. Senator.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., December 9, 1965.

Hon. WAYNE MORSE,
U.S. Senate, Washington, D.C.

DEAR SENATOR MORSE: This is in reply to your letter of November 16 regarding hearings of the Oregon Legislative Interim Committee on Public Lands relating to allowable cut on national forests.

I want to thank you for your forthright position in support of a sound sustained yield program for the national forests.

The level at which allowable cuts are set on the national forests is, of course, a matter of important public concern. We are keenly aware of this fact. We have consequently given a great deal of attention to the methods used for determining allowable cuts, especially over the last 10 years. We have put into effect and are following a 10-year cycle of reinventories and revisions of management plans to provide current and adequate guides to the determination of allowable cuts. We are doing what we can to encourage more sales of thinnings. Three years ago we arranged for a special review of the methods used for calculating allowable cuts on the western national forests that are important timber producers. This review was made by a committee of recognized experts, chaired by Prof. Kenneth Davis, of the Department of Forestry at the University of Michigan.

We are following a philosophy that the national forests should be so managed as to provide a reasonably even flow of timber offered for sale. Except for the one cooperative sustained yield unit that was established under the act of March 29, 1944, we do not consider it proper to base the management of national forest lands on what happens on private lands in the region. This could easily result in overcutting the national forest lands to the disadvantage of the United States and without offsetting advantages.

People may properly argue a bit about how even the flow must be in order to be even flow. On working circles that experience serious volume losses because of fire, windthrow, disease, or other such causes, it often is good business and good forest management to have a period of increased harvest to salvage what otherwise would be a complete loss. When this is necessary, we would expect to make a smooth transition from one level of cutting to the other to minimize the timing impacts. But except for situations of this sort, we consider that the basic concept of even flow is proper public policy and that our timber management planning should be done accordingly.

The so-called Duerr report on timber trends in western Oregon and Washington was prepared in the period 1958–62 by a research team of the Pacific Northwest Forest and Range Experiment Station in Portland. The study was conducted under the leadership of Dr. William A. Duerr who was employed as a member of the Forest Service while on leave from the New York State College of Forestry in Syracuse. The major part of the research done by this team was published in 1963 in a report entitled "Timber Trends in Western Oregon and Western Washington," a copy of which is enclosed.

This Forest Service study dealt mainly with the various economic factors that influence rotation age and management investments by major categories of ownership, the longrun level of timber cutting that would be possible in the Pacific Northwest under the influence of these economic factors, and the problems of reaching the potential during the conversion of old-growth to a young-growth timber economy.

A major part of the study was devoted to an appraisal of the influence that the rate of interest may have on total output, primarily through its effect on length of rotation. Other factors such as costs of regeneration and timber stand improvement, timber quality differentials, and trends in timber values also were analyzed in terms of impacts on economic rotation age and allowable cut. This analysis provided a basis for estimating a potential level of long-run timber output in the Douglas-fir region.

Another part of the report analyzed the probable course of events over the next several decades, and progress toward the long-run yield potential under prospective management policies and investment programs.

The initial review draft of this study also contained a final section on trends in possible timber cutting in future decades if (1) forest management were intensified much more rapidly than recent trends suggest, and (2) if old-growth timber were converted to young growth much more rapidly than now planned. The one alternative described in the final section of this initial draft considered a large immediate increase in cutting of the national forests followed by a major drop in output after some years and a shift to short rotation operation of second-growth stands. Such a system might provide a higher rate of return on timber capital but would have obvious drawbacks such as community instability, depressing effects on timber prices, and a gradual shift to small sizes of timber.

The published report provided a springboard for more analyses by recognizing that what happens in the future could differ from the trends mentioned in the report. One example of an alternative projection which assumed a greatly stepped-up cutting rate was made, but this did not include an appraisal of many factors that are important for determining public policy on this subject, such as how serious would be the price changes and the changes in employment that would accompany a sharp increase and then a sharp drop in volume cut. Although this section was included as part of the review draft, it was not published because it was incompleted work.

The Forest Service is, however, continuing to follow up this initial appraisal of timber trends with studies relating to such matters as the economics of advance roading, regeneration, and thinning in the Douglas-fir region, and continuing improvements in the resource data related to allowable cut.

In addition, we are making every effort possible to increase allowable cuts on the national forests to levels permitted under sound principles of forest management. This means more sales based on thinning, for example, more federally financed roads to reach all stands suitable for cutting, full consideration of the place of other resources as well as timber in the multiple-use management of these public properties, and continued studies of techniques for calculating allowable cut within the policies outlined in this letter.

As further background, you may be interested in the attached copy of correspondence between Dr. Duerr and Mr. Robert Smith, chairman of the Interim Committee on Public Lands, in which Duerr attempts to clarify the record and his role in the timber trends study.

We will be very happy to review these matters further with you should you so desire.

Sincerely yours,

JOHN A. BAKER,
Assistant Secretary.

U.S. DEPARTMENT OF AGRICULTURE,
FOREST SERVICE,
Washington, D.C., December 20, 1965.

Hon. WAYNE MORSE,
U.S. Senate.

DEAR SENATOR MORSE: This is in reply to the joint letter of December 1 from you and Senator NEUBERGER regarding publication of a manuscript on "Timber Trends in Oregon and Washington," prepared by Dr. William A. Duerr and other members of our Pacific Northwest Forest and Range Experiment Station.

The Secretary's letter of December 9 in response to your letter of November 16 outlined the background of this study and action taken with regard to release of the information developed. In order to provide a complete record on this study, I would like to repeat some of the statements made in the Secretary's letter.

This report on timber trends in western Oregon and Washington was prepared in the period 1958–62 by a research team of the Pacific Northwest Forest and Range Experiment Station in Portland. The study was conducted under the leadership of Dr. William A. Duerr who was employed as a member of the Forest Service while on leave from the New York State College of Forestry in Syracuse. The major part of the research done by this team was published in 1963 in a report entitled "Timber Trends in Western Oregon and Western Washington." A copy of this has been sent you and additional copies may be obtained from the Pacific Northwest Station in Portland.

This publication on timber trends dealt mainly with the various economic factors that influence rotation age and management investments by various categories of forest owners, and the long-run level of timber cutting that would be possible in the Pacific Northwest under the influence of these economic factors. This analysis included an appraisal of the influence that the rate of interest may have on total output of timber, primarily through its effect on the length of rotations. Other factors such as costs of regeneration and timber stand improvement, timber quality differentials, and trends in timber values also were evaluated in terms of impacts on rotation age and allowable cut. A final part of the publication analyzed the probable course of events over the next several decades and progress toward the long-run yield potential under prospective management policies and timber investment programs.

The initial review draft of this study also contained a final section on alternative trends in timber cutting in future decades if (1) forest management were intensified much more rapidly than recent trends suggest, and (2) old-growth timber were converted to young growth much more rapidly than now planned. The one alternative described in the final section of this initial draft assumed a large immediate increase in cutting on the national forests, followed by a major drop in output after some years and a shift to short rotation operation of second-growth stands.

This alternative was not presented as a proposal, but as a first step in analyzing impacts of changes in current management policies. Such possibilities of modifying current programs are specifically recognized on pages 102–103 of the published report in a condensation of the final section of the preliminary manuscript.

The final section of the initial report was not published because of the lack of information on the many technical, economic, and social impacts that would result from drastic changes in allowable cut policies. These relate to such questions as the effect on the region's economy of an expansion of timber harvesting followed by a marked reduction of log supplies and employment in future years, effects on prices of public and private timber of accelerated liquidation of old-growth stands, the feasibility and costs of an expanded program of forest regeneration and thinning of young stands, and the feasibility and costs of increasing log harvests through timber salvage programs.

A big increase followed by a major drop in cutting could also have major effects on other uses of forest lands, notably water production, recreation, and scenic attractiveness. The impact of these effects should also be analyzed in a complete treatment of management alternatives.

Because of the interest in the subject of this report, we have made a copy of the preliminary draft available to the Oregon Legislative Interim Committee on Public Lands. We have also made office copies of the manuscript available at our Pacific Northwest Forest and Range Experiment Station to others having an interest in this study. I am also enclosing a copy of the final section of the initial manuscript for your information.

Also enclosed with this letter as further background are copies of correspondence between Dr. Duerr and Mr. Robert Smith, chairman of the Interim Committee on Public Lands. In his letter Dr. Duerr emphasizes the fact that this was a technical in-service office report that would need translating before release to avoid misinterpretation.

It seems to us that the issue that has been raised by the interim committee and others does not relate to the so-called Duerr report as such, but rather to the basic issue of what allowable cut policies should be on the national forests of the Pacific Northwest. The Oregon Interim Legislative Committee has received a copy of the original manuscript. Members of our Pacific Northwest Forest and Range Experiment Station have discussed the initial report at some length with Mr. Smith and other members of the interim committee, and with other industrial and forestry representatives. The ideas presented in the final chapter of the manuscript also have been widely publicized in the press of the Pacific Northwest.

Hence, the question being raised does not appear to be one of secrecy of research materials, but rather of what our management and harvesting policies should be on the national forests. I believe this is the issue that should be squarely faced.

The level at which allowable cuts are set on the national forests is, of course, a matter of important public concern. We are keenly aware of this fact. We have consequently given a great deal of attention to the basis and the methods used for determining allowable cuts, especially over the last 10 years. We have put into effect and are following a 10-year cycle of reinventories and revisions in management plans to provide current and adequate guides to the determination of allowable cuts. We are doing what we can to encourage more sale of thinnings. Three years ago we arranged for a special review of the methods used for calculating allowable cuts on those western national forests that are important timber producers.

This review was made by a committee of recognized experts, chaired by Prof. Kenneth Davis, of the Department of Forestry at the University of Michigan.

We are following the philosophy that the national forests should be so managed as to provide a reasonably even flow of timber offered for sale. Except for one cooperative sustained yield unit established under the act of March 29, 1944, we do not consider it proper to base the management of national forest lands on what happens on private lands in the region. This could easily result in overcutting the national forests to the disadvantage of the United States and without offsetting advantages.

People may properly argue over how even the flow must be in order to be even flow. On working circles that experience serious volume losses because of fire, windthrow, disease, or other such causes, it often is good business and good forest management to have a period of increased harvest to salvage what otherwise would be a complete loss. When this is necessary, we would expect to make a smooth transition from one level of cutting to the other to minimize the timing impacts. But except for situations of this sort, we consider that the basic concept of even flow is proper public policy and that our timber management planning should be done accordingly.

We are making every effort possible to increase allowable cuts on the national forests to levels permitted under sound principles of forest management. This means more sales based on thinnings, for example, more federally financed roads to reach all stands suitable for cutting, and full consideration of the place of other resources as well as timber in the multiple-use management of these public properties.

We are also continuing to follow up the 1963 study of timber trends in the Douglas-fir region with research on alternative management programs and continuing studies of techniques for calculating allowable cuts within the policies outlined in this letter. In developing future policies and programs, we shall also consider most carefully the analyses and recommendations made by other groups such as the Oregon Legislative Interim Committee on Public Lands.

We will be happy to review this matter further with you should you so desire.

A similar letter is being sent to Senator NEUBERGER.

Sincerely yours,

EDWARD P. CLIFF,
Chief.

DECEMBER 22, 1965.

Mr. ROBERT F. SMITH,
Chairman, Interim Committee on Public Lands,
Mr. TED HALLOCK,
State Senator, Legislative Interim Committee on Public Lands, State Capitol Building, Salem, Oreg.

DEAR REPRESENTATIVE SMITH AND SENATOR HALLOCK: This supplements the recent letters you received from our offices in which we informed you that we would take up with the appropriate Federal officials your inquiry concerning publication of a manuscript on "Timber Trends in Oregon and Washington" prepared by Dr. William A. Duerr and other members of the Pacific Northwest Forest and Range Experiment Station.

Today we received the enclosed report dated December 20 supplied by the Chief of the Forest Service. As you will note, the report discusses in some detail the current policy of the Forest Service with respect to allowable cuts. With specific reference to the Duerr report the Chief of the Forest Service states:

"Because of the interest in the subject of this report, we have made a copy of the preliminary draft available to the Oregon Legislative Interim Committee on Public Lands. We have also made office copies of the manuscript available at our Pacific Northwest Forest and Range Experiment Station to others having an interest in this study."

Senators MORSE and NEUBERGER are not in Washington, D.C., at present, but when they return to Washington we shall bring to their personal attention the December 20 report of the Forest Service. In the meantime, we hope that the statements contained in the enclosure will prove to be helpful.

Sincerely,

WILLIAM BERG, Jr.,
Administrative Assistant to Senator Wayne Morse.

LLOYD TUPLING,
Administrative Assistant to Senator Maurine B. Neuberger.

JANUARY 4, 1966.

Hon. ORVILLE L. FREEMAN,
Secretary of Agriculture,
Department of Agriculture,
Washington, D.C.

DEAR MR. SECRETARY: This will acknowledge Chief Forester Cliff's excellent letter of December 20 addressed to me setting forth, in detail, additional views of the Forest Service, supplementing those outlined in your December 9 letter to me.

I have had an opportunity to review the office study conducted by Dr. Duerr which has been the cause of so much excitement among certain people in Oregon.

Of special interest to me was the abundance of caution Dr. Duerr utilized in expressing his opinion that there were other alternatives to the present consumption of evenflow in forest sustained yield program. I was even more impressed by Dr. Duerr's observation at the conclusion of his draft that, "there may be strong elements of exaggeration in the alternative I had just discussed." He cautioned that the exaggeration might be "based on the assumption of successful conifer-forest regeneration," and he added: "To make good on this assumption in the near future will take more research than is being done now, and more effective action. In any case, the conversion to a yield-growth timber economy can be speeded up only when foresters can promptly reestablish productive forests on current cutovers and other nonstocked lands."

On the basis of this observation, it seems apparent to me that no matter what is to be done in the future about allowable cuts, this is a sizable problem which is not being successfully met. I would therefore like to have your assessment of the steps that are underway now to solve these critical problems and the additional research, including the cost thereof, that should be undertaken to improve conifer-forest regeneration.

In view of Dr. Duerr's personal expressions of reservations regarding the one that he participated in 5 years ago as a consultant, and recognizing that in this period changes may have been made and improvements found in forest regeneration, a full report and recommendations on the current situation would be extremely helpful. I, of course, would be prepared, and would hope to have your support, in discussing this matter before the Committee on Appropriations, should this be the wisest course of action to follow.

Sincerely yours,

WAYNE MORSE.

COUNTY OF WASHINGTON
PLANNING DEPARTMENT,
Hillsboro, Oreg., January 3, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

SENATOR MORSE: The enclosed letter to Representative Smith was precipitated by our concern over timber industry trends and by the December 22, 1965, Oregonian article, also enclosed.

As planners, we like to think we have some influence in suggesting plans, programs, and expenditures to serve the existing and anticipated future public. And in order to understand reasonably well the public our communities will serve in the future, we must understand how each contributor to local employment and tax base may be expected to decline or prosper—including the timber industry.

We ask for any information you may have which will increase our understanding of the Duerr report, the problem in general, and present Forest Service policy particularly. We also ask that you continue your work in bringing such issues as this to public attention.

Thank you for your assistance.

CARL HEFFLEY,
Planning Director.
PAT L. GORDON,
Senior Planner.

DECEMBER 29, 1965.

Representative ROBERT F. SMITH,
House Office Building,
Washington, D.C.

MR. SMITH: A story in the December 22, 1965, Oregonian indicates that you are concerned with the timber industry in Oregon and Washington.

We, too, are concerned, both with overall trends in the industry and with possible changes proposed in the Duerr report as they affect our county's future growth.

We have virtually every report published by the Forest Service on this subject but would request copies of additional research or other information gathered by your interim Committee on Public Lands.

Please be assured that we in local government who want recommended plans, programs, and expenditures to serve future population growth, are vitally concerned with this industry which has so direct an impact on our future. Please continue your effort on our behalf in the following subject areas:

1. It is vital that we understand fully the overall supply and demand factors in the industry for the entire region.

2. It is vital that we secure an improved understanding of the impact of each of these overall factors on the constituent parts of the industry under existing harvesting and management policies.

3. It is essential that the implications of changing timber management and harvesting policies be fully explored and exposed to public view.

4. And finally, from the local government point of view, it is vital that changes, particularly in employment and plant location, be understood both under present timber management policies and under proposed changes as they may affect local economies.

We wish to cite examples of how useful the above information would be to local government. In the urban portion of our county, with its relatively diverse industrial base, timber industry (particularly sawmill) employment declines which have been forecast will probably be of relatively minor significance. However, in the western portion of our county a larger segment of the population relies on timber industry employment. We have just received an inquiry from a local school district which must plan ahead for possible expansion. They inquire into whether their assessed valuation will continue to rise approximately 6 percent per year. What can we tell them when we know the Forest Service forecasts that because of accelerated competition from pulp and plywood mills for raw timber, some of their sawmills may close in the next 15 years and that the assessed valuation of their timber lands may fluctuate substantially if major changes are made in timber manage-

ment practices as suggested in the more controversial sections of the Duerr report? Even if their mills do not close, how many millworkers, whose children they serve, will leave their district as a result of automation? Without some reasonable assurance of continued employment stability of the population they serve, and the related stability of the tax base which must finance that service, how can responsible school officials plan ahead in their programs?

These same questions clearly make both metropolitan and countywide planning more difficult.

We hope to press for a Portland SMSA economic base study before 1970 and it is obviously necessary that these forest industry questions be resolved for such an economic base study to be of maximum usefulness to us.

Thank you for any assistance you may be able to extend to us.

WASHINGTON COUNTY PLANNING DEPARTMENT,
CARL HEFFLEY,
Planning Director.

[From the Portland Oregonian, Dec. 22, 1965]

SOLON SLAPS TIMBER VOTE

Surprise and shock were registered Tuesday at a report from Washington, D.C., that the U.S. Forest Service has rejected a proposal to step up the cut of old growth timber in Oregon and Washington.

This response to the report came from Representative Robert F. Smith, Republican, of Burns, chairman of the Legislative Public Lands Interim Committee which has been investigating forest cutting practices of various agencies.

Smith said the Forest Service had promised his committee to give further study to the recommendations of the Duerr report, a controversial document written in 1960 by Dr. William Duerr, of Syracuse University, part of which was suppressed from publication by the Forest Service.

"My Interim Committee on Public Lands has been studying the allowable cut and the Duerr report for some 4 months. We believe the Forest Service should keep their promise to study the report's ramifications."

He said the legislators had concluded that the Duerr report should not be rejected until fully studied.

"We recognize this is a public document, paid for by the taxpayers, and is most important to the economy of the Northwest," Smith told the Oregonian Tuesday upon reading an article written by the newspaper's Washington correspondent, A. Robert Smith.

"Our brief study," Smith said, "indicates there is a vast difference between the percentage of inventory cut by each public agency."

He said, "No one wants to clear cut all of our forests. Our purpose is to harvest our tremendous natural resources of timber in order to maximize returns while protecting our forests for the unlimited future."

Smith said he was heartened by letters sent to the Forest Service by Congressmen AL ULLMAN and WENDELL WYATT, who "are attempting to assist our interim committee in making public the Duerr report if for no other reason than to reject it."

This statement was in reply to Senator WAYNE MORSE, Democrat, of Oregon, who was quoted in the Smith article as supporting the Forest Service policy and accusing a legislator of wanting "to begin a brush fire" with the Duerr report.

SALEM, *January 4, 1966.*

Hon. ORVILLE L. FREEMAN,
Secretary of Agriculture,
Washington, D.C.

DEAR MR. SECRETARY: As a part of its studies authorized under House Joint Resolution 60 of the 53d Oregon Assembly, the legislative interim committee on public lands is considering the impact of Federal land ownership and management upon the social and economic well-being of this State. It is anticipated that the committee's findings and recommendations will be useful to the Public Land Law Review Commission created by Public Law 88–606, as well as in establishing guidelines and recommendations for future public land management by all levels of government in Oregon.

Since the Forest Service, U.S. Department of Agriculture, is a major landholder in this State, it is obvious operations of that agency are of interest, both to the interim committee and the public. Particularly pertinent is the question of how Forest Service management may now or in the future affect the supply of raw materials which help sustain our major economic base, the forest products industry.

As always, officials of the Forest Service in Oregon, have been most cooperative during the current interim committee study and we are deeply appreciative of the continually cordial attitude displayed. Some idea of this attitude is seen in willingness to share with the committee for its own use the complete text of a 1960 study on "Timber Trends in Western Washington and Oregon," compiled by a group under the direction of Dr. William A. Duerr, of Syracuse University. Members of the committee advise that this material may eventually make a significant contribution to the final committee report.

Because knowledge of the Duerr report has become widespread, there is obvious concern over the fact certain portions remain unavailable for public review. I am told those sections which are being withheld deal with data on possible cutting practice changes, and that the reason for nonpublication is that the Service wishes to further evaluate such data in the light of agency experience and other factors. This is certainly understandable, and, were it not for the fact many Oregonians, within and without the timber industry, have expressed an interest in this matter, there would be little public attention. As it is, a considerable amount of adverse criticism and resentment is being directed toward the Forest Service. Some have even suggested a need for congressional action.

I have no wish to add my voice to those berating the Service, and I hope you will convey to the Chief and his associates my strong and continuing support of this agency—an agency which I feel has done an outstanding job of conserving the forests and other resources under its control. I would suggest, however, that the interests of both the Forest Service and the public might be better served at this time were the entire Duerr report made available for public discussion. Certainly if there are compelling reasons why this cannot be done, no one should object. On the other hand, if withholding of pertinent information is simply based on a desire to avoid criticism, I believe valued consideration of the alternatives may result in full disclosure.

For these reasons, I am hopeful your office and the Forest Service may reconsider the current position concerning publication of the full Duerr report, and that it may be made available in quantity to those in Oregon and elsewhere for study and comment. In making this request, I am mindful of the possibility of politically inspired actions, but I can assure you my office will not be a party to any move to discredit the Forest Service or to any attempt to capitalize at the expense of dedicated public servants.

Your favorable response will be appreciated.

With warmest personal regards and best wishes for a wonderful new year.

Sincerely yours,
MARK O. HATFIELD,
Governor.

(Unpublished excerpts from a preliminary review draft of a manuscript entitled "Timber Trends in Western Oregon and Western Washington," dated August 1960, prepared by the Division of Forest Economics at the Pacific Northwest Forest and Range Experiment Station in Portland, Oreg.)

YIELDS UNDER ACCELERATED PROGRAM

It is possible to turn, now, to the third of the five questions listed in the introduction to this chapter: If forest management were intensified faster than present trends suggest, and if the subregion's old-growth timber were converted to young growth more rapidly than is now intended, how would the consequences differ from those of a continuation of present trends?

In order to study the consequences of an accelerated timber program, timber inventory and cut were again projected into the future—in detail through the four decades 1960–2000, in summary through one forest rotation thereafter. In these projections, the concept of an accelerated program was introduced by means of three key assumptions about forest management, chosen so as to contrast clearly and strongly with the assumptions made in projecting present trends. First, and most significantly, it was assumed that public old-growth timber would be liquidated relatively fast: It would take only about 40 years on national forests to remove four-fifths of the timber older than rotation age, and about 40 years on other public properties to cut all such timber—as against the nearly 100 years implied in the present-trends projection. Second, nonstocked forest lands would be reforested more promptly. Third, thinning, salvage cutting, prelogging, relogging, and other types of cutting associated with intensive management would be stepped up. For example, by 1990, a thinning regime would be extended to 50 percent of all young public forests on type-sites 1 and 2 (in contrast to 25 percent under present trends); and to 80 percent (as compared with 50) of young forests on large private holdings. Furthermore, thinning would be started on forest type-sites 3 and 4 in all classes of ownership.

Details of the procedure for the accelerated program projection, and of the findings, are to be found in appendix C.

GENERAL TREND IN YIELD

Annual yields projected under the accelerated program total not far from 17 billion board feet throughout the period 1960–2000. Yields commence at some 17.8 billion board feet per year and drift downward thereafter, all during the period (table 25), in the general direction of the 13.2 billion board foot longrun potential.

The yields of table 25 average about 30-percent higher than actual yields during the 1950's. The yields are high mainly because overage forests are assumed to be opened up promptly and cleared out of the way fairly fast. As a matter of practical possibility, there is, of course, some question whether forest access could be improved so quickly, or the industry expanded, or the markets realined. In any case, the projected yields for the decade of 1960's are clearly not realizable: The large changes necessary could not be made that soon.

At the least, one needs to interpret the projected yield data of table 25. One needs to imagine that the 40-year aggregate output of 685 billion board feet represented there is distributed over time with a little bit smoother transition from current outputs. Moreover, one needs to realize that the main point of the projection is not to make a forecast but to analyze an alternative forest policy, using for this purpose a clearly and strongly contrasting case. In this analysis it is the contrasts that are most important. Between the extremes presented, one can always interpolate if he wants to.

TABLE 25.—*Prospective annual yield of timber in the Douglas-fir subregion under an accelerated management program, by decade, ownership class, and source of yield, 1960–2000*

[In millions of board feet]

Source of yield	Private holdings				Public holdings				All holdings
	Large	Medium	Small	All	National forest	Other Federal	Other	All	
DECADE OF 1960's									
Inventory	1,372	503	1,154	3,029	4,927	976	351	6,254	9,283
Growth	2,886	206	998	4,090	1,983	439	660	3,082	7,172
Salvage	422	55	22	499	589	221	61	871	1,370
All	4,680	764	2,174	7,618	7,499	1,636	1,072	10,207	17,825
DECADE OF 1970's									
Inventory	563	331	985	1,859	5,307	819	322	6,448	8,307
Growth	3,624	262	842	4,728	1,239	614	855	2,708	7,436
Salvage	326	22	----------	348	563	278	62	903	1,251
All	4,513	615	1,807	6,935	7,109	1,711	1,239	10,059	16,994
DECADE OF 1980's									
Inventory	244	176	812	1,232	5,612	872	532	7,016	8,248
Growth	4,413	288	524	5,226	895	628	830	2,353	7,579
Salvage	282	18	1	301	491	175	68	734	1,034
All	4,939	482	1,337	6,758	6,998	1,675	1,430	10,103	16,861
DECADE OF 1990's									
Inventory	1,025	97	568	1,690	4,957	970	612	6,539	8,229
Growth	4,213	365	361	4,939	1,299	608	899	2,806	7,745
Salvage	258	16	1	275	407	110	52	569	844
All	5,496	478	930	6,904	6,663	1,668	1,563	9,914	16,818

On the other hand, the short transition period assumed in the projection is not, prima facie, outlandish or extraordinary. It is one often discussed in forestry and wood-industry circles. The results of the present projection, detailed and methodical as it is, are of very great interest in their own right, in an absolute sense.

It was remarked that the projected total yields for the Douglas-fir subregion drift, decade by decade, in the direction of the longrun potential output. The same is true, taking the subregion as a whole, of most individual classes of forest holdings. A comparison of table 25 with table 19 (p. 122) [not shown in RECORD] reveals this fact. And again the same steady drift toward the longrun potential yield is to be observed within the districts. Their long-run potentials are:

	Billion board feet
Puget Sound district	3.5
Columbia River district	6.3
Southwest Oregon	3.4

An examination of tables 48–50, Appendix C, discloses that the projected outputs drift toward the above potentials except in the Puget Sound district, where the current distribution of stand-age classes produces a temporarily rising yield during the remainder of the century.

The gentle drift toward the potential is partial evidence of freedom from the threat of serious gaps in yield—deep valleys in the output curve—under an accelerated timber program. The summary projection beyond 2000 will furnish more evidence.

SUBDIVISION OF THE YIELD

Government timber makes up about 60 percent of the projected total output of the whole subregion in each of the four decades, 1960–2000. The percentage is a little higher in southwest Oregon, a little lower in the Puget Sound district, but everywhere it shows a considerable tendency to hold steady over the four decades. Considering that in the long run, public timber output is not expected to amount to more than about 45 percent of the total (table 19) [not shown in RECORD], it is evident that the dominance of public sources is to be regarded as temporary, and that it is peculiar to an accelerated program of old-growth liquidation.

And yet the extent of the public-private readjustment in output between an accelerated transition and the long run must not be overstated. Total subregional timber output from private lands under the accelerated program is just about equal to the longrun potential. That from public lands is, on the whole, two-thirds more than the longrun potential. These two-thirds represent the whole extent of necessary readjustment. They are made up entirely of a temporary flow of unproductive capital into competitive uses.

Heavy as is the projected cut of timber under the accelerated program, a great deal of it, nevertheless, is replaced by current growth. In the 1960's decade the projection shows about four-tenths of the cut replaced by growth. By the 1990's, with cut smaller and growth larger, the latter is replacing nearly half of the former. As in the projection of present trends, so in the accelerated projection, it is obvious how heavily the growth of new timber affects the forest development. The part played by growth in sustaining the harvest will become most clear when trends are traced beyond the year 2000. In the period 1960–2000, the growth potentialities of the forest are still largely masked in the fact that overage timber—which, though not growing very efficiently, is still increasing in volume—is being rapidly replaced by forests still too young to be credited with any sawtimber growth at all. It is this fact which minimizes the advantage of the accelerated management program over present trends in terms of growth percent during the four decades. The following figures are growth in percent of growing stock, grand averages for the Douglas-fir subregion:

Decade	Present trends	Accelerated program
1960's	1.2	1.3
1970's	1.3	1.6
1980's	1.5	1.9
1990's	1.6	2.5

If these growth projections for an accelerated program are in error, then surely it is that they are too conservative. However, the percentages exhibit a rapid increase.

THE FOREST AFTER 40 YEARS

In any case, the accelerated program does promise to reduce excess, underproductive growing stocks very substantially within 40 years. The sawtimber inventory projected for the year 2000 is 274 billion board feet altogether, only about one-third over the longrun requirement of 203 billion feet There is still a great surplus of timber above rotation age on the national forests, and on the other hand there is some shortage of timber just below rotation age on some categories of ownership.

The distribution of forests by age class at the beginning and end of the first 40 years under an accelerated management program is the subject of figure 14 [not shown in RECORD]. This figure treats of the Douglas-fir subregion as a whole. Distributions within the three districts are displayed in figures 20–25, appendix C [not shown in RECORD].

When one compares the forest-age distributions in 2000 under an accelerated program with those obtained by projecting present trends and with the ideal distributions specified on page 153, he finds that on private lands the accelerated program promises to produce an age-class arrangement about as close to the ideal as that to be expected if present trends continue. On public lands, because of the shorter old-growth conversion period assumed under an accelerated program, the age-class frequencies are a good deal different in the two projections. In some respects, the accelerated program makes for less desirable age distributions. Certainly it tends to place a very high proportion of forest into the youngest age classes. This happens both because old-growth timber is assumed to be removed so fast and because the immense challenge of reforesting cutovers and burns is assumed to be successfully met. However, in other respects, the accelerated program on public lands produces the more desirable age distributions. At least it largely eliminates the underproductive excess of older timber and arranges the forest for high growth. By the year 2000 in the whole Douglas-fir subregion under an accelerated program forests from 1 to 40 years old are expected to occupy the following percentages of area in each ownership class:

Small private holdings	90
National forests	70
Medium private holdings	65
Other Federal holdings	63
Large private holdings	61
Other public holdings	56

PROSPECTS BEYOND YEAR 2000

What is the Douglas-fir subregion's potential timber yield in the decades after 2000 if an accelerated management program is pursued? Data from a summary projection are set forth in table 26, where they are combined with figures for earlier decades from table 25. These are raw data, the result of following the procedures described in appendix C untempered by any smoothing or other adjustment of the series. They are not, it must be remembered forecasts of output. Rather, they are estimates of the potential output under the assumptions that have been specified.

TABLE 26.—*Prospective annual yield of timber in the Douglas-fir subregion under an accelerated management program, by ownership class and decade, 1960–2070*

[In billion board feet]

Decade of	Private holdings				Public holdings				All holdings
	Large	Medium	Small	All	National forest	Other Federal	Other	All	
1960's	4.7	0.7	2.2	7.6	7.5	1.6	1.1	10.2	17.8
1970's	4.5	.6	1.8	6.9	7.1	1.7	1.3	10.1	17.0
1980's	5.0	.5	1.3	6.8	7.0	1.7	1.4	10.1	16.9
1990's	5.5	.5	.9	6.9	6.6	1.7	1.6	9.9	16.8
2000's	5.4	.5	.8	6.7	3.7	1.3	1.1	6.1	12.8
2010's	5.3	.4	.8	6.5	2.0	1.0	1.0	4.0	10.5
2020's	5.5	.4	.7	6.6	1.5	1.1	.8	3.4	10.0
2030's	5.8	.4	.5	6.7	2.2	1.3	1.0	4.5	11.2
2040's	5.5	.4	.8	6.7	3.4	1.4	1.0	5.8	12.5
2050's	5.8	.3	.7	6.8	3.3	1.3	1.3	5.9	12.7
2060's	5.5	.4	.7	6.6	3.5	1.3	1.3	6.1	12.7

For private lands, the projected series are not significantly different from those derived as a continuation of present trends (table 24). For public lands, the projected yields are comparatively high during the first half of the 110-year period, a direct consequence of the assumption that old-growth timber would be converted in about this length of time. Also as a result of this assumption and of some adverse age-class distributions, the public series sag noticeably during one to three decades just after the middle of the 110 years. Aside from this sag on public lands, all series trend generally toward the longrun potential, and the public series reach it by the end of the era. Like all the timber-output series considered in this study, the present ones change in composition from decade to decade. The proportion of thinnings in the total harvest, negligible at the start, rises at a fairly uniform rate, to above four-tenths at the end. At the same time, the proportion of old growth in the harvest from public lands falls from almost all to almost none.

Policies for the transition

The purpose of this final section is to compare alternative timber policies for the transition period. Especially it is to compare the consequences of an accelerated timber program with those of continuing present trends. The comparison will suggest some answers to the last two of the questions with which this chapter was begun.

It was remarked earlier that the rate of converting old-growth timber into young growth is a major forestry issue in Douglas-fir country today. Without question it is the central issue regarding the transition period. Therefore to draw comparisons between the two projections that have been worked out and described on foregoing pages is exceedingly helpful: The two projections illustrate alternative conversion rates, and the rates they represent are such that the two cases throw a great deal of light on the whole range of practical possibilities in regard to speed of conversion. Essentially, the alternatives requiring study are (1) to continue the transition from old- to young-growth forests at about the current pace or (2) to increase the annual cut, primarily of old growth on public forests; to sweep away the old timber correspondingly faster, developing the forest areas apace and tightening the timber utilization; and to step up young-growth management programs—regeneration, intermediate cutting, protection, and seasonable harvest cutting—so as to get the wood increment needed to keep the timber economy afloat.

Liquidating old timber

One respect in which the two policy alternatives sharply differ is the rate of clearing out excess timber capital and thus of stimulating timber growth. To take as cases in point the two projections examined in this chapter, they suggest that under present policies it would require something more than 100 years to cut out the timber older than rotation age, whereas under an accelerated program the period would be closer to 50 years. Where old timber is converted twice as fast, the attendant forest developments can take place twice as fast: establishing new stands, raising the growth therefrom, and increasing the yield from thinnings. The regeneration of the forest is a problem not yet fully solved. This analysis assumes that it can and will be solved speedily enough to permit gaining any advantages that accelerated old-growth conversion may offer.

Surely it is a goal of public policy to make our capital resources—our funds gathered at the cost of great exertion, and the factories, forests, and other material things in which we have invested funds—earn a reasonably good return. To succeed in the effort is to raise the national income: the national revenue, including the flow of imponderables. A goal of public policy is to push up the national income: not necessarily the gross income, but the net—the revenue left over after the deductions on account of winning it have been allowed for.

Now of course the composition of the national revenue matters as well as the amount. It matters that there is just a very small proportion of forest products in the total, or a relatively large proportion, or whatever. Or at least it matters in the short run, while consumers' habits and tastes are hard to change. How much it matters in the long run no one knows, though surely it matters less.

At any rate, to the extent that it matters, society registers the fact in its market demand for the product and thus in the market price and thus in the value which forms a part of the national income. And so it is not very far from the truth, especially as it relates to time beyond the immediate future, to speak simply and generally of high national revenue as a goal of public policy.

It follows that the goal of public policy is to liquidate excess capital (so judged from its below-par earnings) in any industry and transfer it to uses, in that industry or others, where it can contribute its par share toward national revenue.

It appears to follow that excess timber capital should be shifted to new uses, and that this should be done just as speedily as possible without working incidental damage to the national revenue. That is to say, the only limitations to a desirable rate of shifting are the absorptive capacity of the new uses and the need to avoid depressing timber prices so much that returns in the new uses turn out to be less than those in the old. Considering how long the conversion period would be even if it were shortened as much as technology allowed, the only practical limitation is the latter, the effect on timber prices. And when the timber capital to be shifted is earning nothing—which is exactly what a lot of it is earning—then one wonders whether either limitation amounts to much.

The prices that faster conversion would threaten to depress are, first of all, the prices of stumpage in the open market—that is, notably the prices of public standing timber. For these prices (and not, it will be noted, the total of government receipts) to fall may well be seen as a desirable aspect of the general loosening of timber supplies. High timber prices, though understandably a source of passing amazement and pride for the forest manager and the managing agency, are yet in the last analysis merely evidence of scarcity and thus of managerial failure.

A well publicized intention on the part of the government to unload more timber and thus allow prices of all timber to fall off may influence the management practices of private timber sellers. However, the effect would last only so long as further price changes remained in prospect. The mere depression of the price level could not be expected to influence forest practice very much. This is the positive and desirable aspect of the weak price-output relationship illustrated in figure 9. [Not shown in RECORD].

A softening of the stumpage market need not spread into the markets for end products. Everything depends on how the timber harvest as a whole is affected. This matter was touched upon in the description, earlier in this chapter, of the accelerated-program projection. It will be held aside now for later discussion. However, one point regarding end-product prices is worth considering here. This is that a moderate price reduction accompanying increases in output would in some ways be much in the interest of both the industry and the general public. It would help the former to rebuild deteriorating consumer relations. It would permit the latter a wider enjoyment of an abundant raw material.

Striving for even flow

Besides the rate or removing old-growth timber, another aspect in which the transition's two cardinal alternatives differ is in their proneness to departure from even flow. By even flow is meant a constant or increasing periodic output of timber, a freedom from prolonged declines in yield, notably those caused by timber-supply conditions. In the projection of present trends for the Douglas-fir subregion, it was discovered that on each class of public holdings the prospective 10-year timber yield gradually increases each decade toward the longrun potential. The increase is enough to insure even flow—or close to it—also for all forests as a group, even though private forests on the whole show declining output. On the other hand, the accelerated projection reveals the possibility that shortening the transition may increase the cut of public timber above the longrun potential rate and thus force departure, sooner or later, from even flow, at least on the public holdings, perhaps on the forest at large.

Is an even flow of timber a sensible aim of public policy? What is there to recommend the even-flow principle? May even flow be expected to have at least two desirable consequences: one, to feed and sustain the general consumption of timber and thus the national real income; two, to stabilize the economy of woodworking communities?

Suppose, for the moment, that it is in fact desirable to stabilize forest-based income and the woodworking economy. Then one is immediately struck by the question how a stable flow of wood measured in board feet—or, for that matter, in cubic feet—could be expected to produce such a result. These physical units of output vary hugely over time—often over short periods—in their significance to human life. They vary with changes in the species, size, and quality of the timber, in the technology of production,

and in the manner of utilization. A cubic foot of wood used for paper is an entirely different thing, economically, from the same cubic foot used for lumber. Even the employment and income per wood unit devoted to a particular use changes as extraction, manufacturing, and marketing processes change, which they are doing all the time.

But beyond this, is it desirable to stabilize or increase forest-based income? Is it a good thing to stabilize the woodworking economy?

As for the first, the national income does, of course, comprise the returns from various lines of effort, the various industries, such as steel and petroleum, farming and forestry. Other things equal, the greater the return from forestry and forest industry, the greater the national income. The trouble is, other things are seldom equal: the effects of the different industries are interrelated.

It is perhaps nice, and certainly it is easy, to think of the forest economy—forestry and wood-using industry—as a tight system for which decisions can properly be made on the basis of internal considerations alone. It is tempting to suppose that, if investments and output of the forest economy are to change at all, they should increase. This is the doctrine of even flow of timber. Under it, one views with equanimity shifts of capital from the buggy into the automobile industry, from coal into aluminum, and from farming into merchandising; but shifts out of forestry are quite another matter.

It is difficult, however, to escape the reality that society's concern is for its whole revenue, largely irrespective of source, and that excess capital which is earning below par is best shifted to more efficient uses, regardless of the uses from which it is taken away. The public interest is not necessarily to even out, any more than it is to maximize, the long-term flow of national revenue from the steel industry or any other particular industry—even the forest industry. In view of the fact that resources are limited, such evening or maximizing may reduce national revenue by holding down disproportionately the flow of revenue from other industries.

So far as the second argument for even flow is concerned—that it stabilizes the economy of woodworking communities—here is one of the most basic and respectable pieces of forestry lore. It comes to the United States from Europe, where it is founded on the experience of communities whose sustained-yield forests have helped sustain also employment and income over the years. It seems to be underscored by experience in many parts of the United States during the 1930's, when the disappearance of local timber and wood-using plants was followed by loss of employment and income.

Nevertheless, reflection suggests that nothing that is known of community experience, with even flow or with uneven, clearly recommends either policy as invariably wise.

Even flow was a success in some European communities at a time when economic opportunity and change were so meager as to put a premium on continuity and stability. Contemporary America, however, commits itself, happily or unhappily, to change and innovation in economic life. It casts aside all those restrictive rules that call for sameness of either production or consumption over time. It thrives on incessant shifting of immediate economic aims and of resources. It achieved growth by means of such shifting. In its actions it implies the rejection of even-flow doctrine for individual sectors of the economy.

Uneven flow, on the other hand, was a failure in some U.S. communities at a time when the whole economy was depressed and any policy would have appeared to fail. The relevant question concerning uneven flow—concerning, for example, a program of liquidating old-growth timber so fast that output drifts downward decade by decade, either on certain classes of holding or on all—is not whether it will forerun the loss of employment and income in time of general depression. One knows that it will. The relevant question is the relation between uneven flow and community employment and income in time of general prosperity.

What happens, in generally prosperous times, when a community faces the shrinkage of one of its major industries? Experience in the Douglas-fir counties suggests that the community may contract to suit its shrinkage base as families and facilities move away to find work in other, growing communities. Or the community may substitute a new activity for the old one. It may bring in pulp mills to take the place—and actually more than take the place—of its sawmills. This sort of substitution has occurred in Grays Harbor and Snohomish Counties, Wash., and elsewhere in the Douglas-fir subregion. Or the community may shift its emphasis from forest to nonforest activities. In Washington during the years since World War II, while employment in the forest industries was sliding from about 70,000 to about 60, total manufacturing employment was raising from the neighborhood of 175,000 to nearly 225,000. And nonmanufacturing employment was increasing even more steeply.

Whatever new directions the communities take, the capital released through timber liquidation goes to build grander and more rewarding resources. Notably, it goes to help develop and industrialize the region. And the greater the timber reserves to be tapped, the more substantial the help afforded by liquidation.

Coordinating public and private programs

In the past, the help that the economy has received through old-growth timber liquidation has come very largely from private forest lands. In the future, however, it will be chiefly the public lands which can furnish such help in economic development. The greatest effects will undoubtedly be felt outside forestry and forest industry. But there will be effects inside forestry, too—beyond those that change the wood-utilization mix: (1) effects upon timber values and prices, (2) effects upon the output of timber from private forests.

The faster the conversion of old-growth timber into young growth on public lands, the greater will be the tendency for the value and price of timber to be depressed—and the greater the incentive for private forest owners to reduce their own cuts and use more public timber instead. Thus under an accelerated program of conversion, private growing stocks of young timber may be expected to accumulate somewhat, and to be available for sustaining the total cut subsequently if public outputs should dip. Here is a form of coordination between public and private forest management that will work consistently to lower the peaks of timber cutting and to raise the troughs, so as to reduce departures from even flow.

Such coordination of public and private management is not contractual, as in a sustained-yield forest unit. Indeed it requires no contract, but is automatic in its operation, through the means of the market, and consequently is more simple and more certain than a contract. Its effect seems likely to be that of lessening some of the differences in annual timber harvest between present trends and an accelerated program.

Using timber and having it too

However, there appears still to be one great difference between the two cardinal alternatives for the transition, beyond those already considered. This difference lies in the aggregate quantity of timber likely to be produced in the Douglas-fir subregion over a span of future years—say, the next 100 years or so. If one adds together the 110 total annual outputs implied in table 24 for a continuation of present trends, he gets an aggregate yield from all holdings for the entire period amounting to 1,346 billion board feet. A similar totaling of outputs under the accelerated program of table 26 reveals an aggregate of 1,509 billion board feet: 163 billion, or 12 percent, more. Here is a measure of the productive superiority of young-growth management over old, arising mainly from superior anticipation and salvage of mortality, anticipation of decay, and utilization of the forest site. When old timber is replaced by young, there is very possibly more growth of wood and quite surely more harvestable growth. The 163 billion board feet more growth realized in the circumstances postulated here are distributed as follows by class of ownership:

	Billion board feet
Private holdings:	
Large	82
Medium	2
Small	2
Public holdings:	
National forest	101
Other Federal	21
Other	9

The 131 billion board feet (21 percent) excess yield of an accelerated program on public lands represents an advantage of the program amounting to about 1.2 billion per year—or, on the 12 million acres of public forest lands, an average of 100 board feet per acre annually. Here is a substantial yield, amounting to a fifth of the total longrun potential of public lands. If the cubic-foot volume of useful timber smaller than sawlog size had been included in the projections and resultant series of yields, the contrast between the two series would loom larger still.

It was pointed out earlier that the yield series in table 24 is in part arbitrary as to timing, being simply the result of the assumptions adopted regarding the schedule of old-growth conversion. Within limits, a part of the old-timber yield can be harvested earlier or later without appreciably affecting the aggregate yield over the years. The same is true of the series in table 26, representing an accelerated program. Figure 15 illustrates a present-trends series and an accelerated series for public lands, adapted from tables 24 and 26 by retiming and smoothing so as to eliminate (1) sudden changes in output and (2) instances of yield under the accelerated program falling below that of the present-trends projection. The accelerated program of figure 15 peaks more slowly and later than that of table 26, and thus represents a somewhat longer liquidation period for old-growth timber. The extra aggregate yield of the accelerated program, in this case amounting to about 125 billion board feet, is plainly depicted as the area between the two output curves.

If present policy on public forests is generally to maximize physical output, then figure 15 [not shown in the RECORD] illustrates this interesting alternative: with shorter rotations and faster old-growth conversion, to produce an output greater than maximums.

A temporary bulge in the yield of public forests, such as that illustrated in figure 15, would probably be offset in part by a corresponding reduction and postponement of harvests from private lands, as described earlier. The result would be to spread the increased output over a greater span of years. The tendency would be to bend the total output potential to both the short and the long variations in demand that can be expected in any case to cause large changes in the rate of timber production.

It will perhaps bear repeating that the projections made in this study are not predictions. They merely describe the outcome of various programs. Figure 15 is most use-

ful if it is regarded simply as symbolizing the gains in physical output that may be achieved on public forests under some accelerated management program planned out to meet the community, market, and silvicultural opportunites and limitations of the various forests. The planning in question is on-the-ground, forest-by-forest planning. All that the present analysis can do is to indicate quite clearly the general nature of the changes that such planning may be expected to produce.

The thinking that has gone into this study, concerning the timber potentialities of the Douglas-fir subregion, is necessarily confined and circumscribed and thus conservative, being overinfluenced by the vision of today's silviculture and today's production technology. Every unforeseen significant improvement that may be made in woods practice or in wood utilization will enlarge the prospects of the future beyond those envisaged here. Plans for forestry and forest industry must always be held flexible enough to accommodate new and unsuspected opportunities.

On the other hand, the conclusions of this study are in one respect not conservative and even run the risk of exaggeration. This is that they are based on the assumption of successful conifer-forest regeneration. To make good on this assumption in the near future will take more research than is being done now, and more effective action. In any case, the conversion to a young-growth timber economy can be speeded up only when foresters can promptly reestablish productive forests on current cutovers and other nonstocked lands.

November 16, 1965.

Hon. STEWART UDALL,
Secretary of the Interior
Department of the Interior
Washington, D.C.

DEAR MR. SECRETARY: Enclosed is a copy of a letter I addressed to Secretary Freeman today. I would be remiss if I did not advise you of coinciding disturbing reports from Oregon about the Bureau of Land Management on its allowable cuts. The gist of these reports in that your Oregon BLM has under consideration a proposal to raise its O. & C. allowable cut, particularly in southern Oregon. You ought to know that these reports include the observation that certain interests are spreading the word that they now have the way paved to obtain your approval.

It is my recollection that BLM last raised its allowable cut in the summer of 1962. Since that date the terrible 1962 Columbus Day windstorm hit these forests and this was followed by considerable damage to trees. Then there were the floods of last winter. Overall, it is my understanding that the current official allowable cut has been exceeded for the last few years.

Under these circumstances you can appreciate, I am sure, that many people would be interested in why it is suggested that the allowable cut should be again raised rather than reduced.

You may be certain that any proposed increase in allowable cuts is a matter which I would wish to scrutinize very thoroughly. If these reports of a proposed change and of these interests are in error, I would appreciate information to that effect.

If the reports are correct, I trust that you will deem it advisable to give me full assurance before any action is taken that the action proposed involves absolutely sound conversation.

In fact, this subject would be of such wide interest to all Oregonians that I would even venture to urge that prior to the adoption of an increase in allowable cut, it should receive very careful explanation to and study by various conservation groups such as the Izaak Walton League and the Associations of County officials. Also, I would recommend that your forest advisory boards such as the ones in Eugene and Medford and your full O. & C. board be given advance explanation and an adequate opportunity to study the matter.

Finally, it would seem to me that the proper forum for initial public discussion of these matters is with members of the Oregon Congressional delegation and the appropriate Congressional committees. I trust you are aware of my concern that State legislative committees and other State officials seem to obtain more facts about Department of the Interior operations in Oregon, and obtain them earlier than members of the Oregon delegation.

I shall await a report from you on the issues which I have raised in this letter.

Sincerely yours,

WAYNE MORSE.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., November 20, 1965.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: I am acknowledging your letter of November 16 with which you enclose a copy of your letter addressed to Secretary Freeman concerning allowable cuts of timber on Bureau of Land Management lands in Oregon.

We shall be writing you further on this subject in the near future.

Sincerely yours,

STEWART L. UDALL,
Secretary of the Interior.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., December 23, 1965.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: This is further response to your letter of November 16 concerning the allowable cut of timber from lands administered by the Bureau of Land Management in western Oregon.

The Bureau is making a comprehensive review of procedures and standards used in determining the amount of timber available annually and no final determination will be made until this review is completed.

We agree with your observation that any increase in allowable cut should receive review by the O. & C. advisory boards and various conservation groups, prior to adoption.

The Oregon congressional delegation will be fully informed on this proposal when it reaches the point of requiring initial public discussion.

Sincerely yours,

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

Mr. LAUSCHE. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. LAUSCHE. I commend the Senator from Oregon for discussing the vital subject of preserving timberlands for future generations. He just mentioned a number of States which have found that their lands have become denuded of coverage, with the damage that results to the economy and to the enjoyment of life by the inhabitants of the particular States. The Senator did not mention Ohio. Ohio is not known as a timber State. Whether Ohio is a timber State or not, we do know that all the richness and beauty provided by nature, that existed years ago, is gradually being eroded.

I do not say this vainly, but in 1953 Ohio celebrated its 150th anniversary of Statehood. The question to be determined at that time was: How can the State most constructively look back to the memories of our ancestors and try to render constructive services for the future generations?

The conclusion reached by the Sesquicentennial Commission was to inaugurate a program to plant trees upon the denuded lands of the State. The slogan was: "Plant a tree in 1953."

The point I wish to make is that what the Senator from Oregon is now speaking about is what the members of the Ohio Sesquicentennial Commission thought was most important.

We are witnessing the removal of shrubs and grasses and trees, and their substitution by concrete and macadam beds. Foliage, grasses, hedges, and trees gradually are going away.

As Governor, I tried to study those States in which the greatest legislative progress was made in an effort to protect the arbors of the State. The State of Oregon was in the advanced position of doing beneficial work in preserving the State timber lands.

I do not know what its state of progress is at this time, or about what the Senator is mainly talking, except the general import that I gained from what he said.

I wish that, each of the 535 Representatives would devote himself to this problem. We know that lands throughout the world which were once rich with vegetation are now dead, sterile, and lifeless. We have no greater task and no greater responsibility than to cope with this problem.

I commend the Senator from Oregon. I am glad that I came to the Chamber to hear at least a part of what the Senator has to say. I assure the Senator that I shall join in whatever fight he makes toward this objective that he is presenting to the Senate today.

I thank the Senator for yielding.

Mr. MORSE. Mr. President, I want the RECORD to show that I appreciate very much the comments just made by the Senator from Ohio. I know of his years of dedicated public service in respect to sound conservation programs. He did not mention it, but I want to mention it.

The Senator from Ohio has been one of the great leaders in the Senate in trying to do something to resolve the policy being followed by certain economic groups in his State and elsewhere in scarring the landscape without taking the necessary restoration and beautification steps afterward, in connection with strip mining operations. How well I remember the position that the Senator from Ohio took on the floor 2 years ago, and last year. That involves a conservation program. That is a vital conservation program. I was proud to stand shoulder to shoulder with him, as I shall continue to stand shoulder to shoulder with him with regard to any new proposal which may come before us in legislative form.

The Senator from Ohio has also given consistent support to the conservation program in respect to our other natural resources, including timber, and the

need for necessary flood control programs and sound programs for erosion control.

The Senator in his speech said in effect that we all know that there are many parts of the world in which a program of devastation has been followed, as a result of which there are now large areas which were once rich in forests and other natural resources, but which are now eroded areas, in which the country has not followed a sound conservation program.

Mr. President, at a later date, and in another format, and in connection with an entirely different subject, I shall comment upon the debt that I owe to the Senator from Ohio for his cooperation and advice and never-failing assistance in connection with the parliamentary tour that we took for 5 weeks this fall to Japan, India, Pakistan, Afghanistan, and Israel, with a stopoff for a briefing in Madrid, Spain.

I believe that there is no denying the observation that the Senator from Ohio made in regard to what has been an exceedingly wasteful policy in many parts of the world, in regard to a failure on the part of the peoples of those countries to follow a sound conservation program.

I do not say that critically. I just mention it factually. Let us not forget that there was a time when most of China was a surplus food area. However, it was not an eroded China, or a deforested China.

One cannot go through the parts of India which I observed with my own eyes and not recognize that one of the needs of India is for the development of a greatly improved conservation program.

They have a need to conserve water and to develop their water resources. They have a need for reforestation projects. They have a need for erosion control in many parts of India, for there is no doubt that there has been great waste of the natural resources in India by past generations. It is vital, in my judgment, to maintain a sound economy for its masses. The same situation is true in Pakistan and in Afghanistan.

Mr. President, it was rather dramatic to go to Israel and see what dedication, hard work, and recognition of the importance of the development of the natural resources of the country are doing in Israel.

I could hardly believe my eyes when, flying over a large desert area, I saw the desert area pock-marked with forests. They have a recognition that they must plant forests in order to develop and protect their soil from erosion, to supply the necessary base for the maintenance and preservation of a watershed, and to conserve and store water.

I saw the well-known conservation fact demonstrated that if the necessary things are done to get water into even that kind of desert, the area will flower in vegetation.

I do not know of a better example that I could cite offhand than the conservation and natural resources development program which I observed in Israel.

I did not mean to speak for so long, but the Senator from Ohio inspired me to call attention not only to his work in this field, but also to relate it to some of the things we saw on our trip through Asia and into a part of the Middle East.

WILD RIVERS ACT

The Senate resumed the consideration of the bill (S. 1446) to reserve certain public lands for a National Wild Rivers System, to provide a procedure for adding additional public lands and other lands to the system, and for other purposes.

Mr. LAUSCHE. Mr. President, pending before the Senate is S. 1446, a bill to reserve certain public lands for a National Wild Rivers System, to provide a procedure for adding additional public lands and other lands to the system, and for other purposes.

It is my understanding that the bill contemplates preserving certain remaining areas which still have their pristine attributes uncontaminated by the invasion of human beings.

The bill is intended primarily to deal with certain river basins in the West. The bill contains one title which would authorize a study of other river basins to determine whether they might have the characteristics which I have just mentioned.

Mr. President, I send to the desk an amendment to S. 1446, which, if accepted, would authorize a study of what is known in Ohio as the Little Miami River basin and the Little Beaver River basin, for inclusion in the final draft of the bill.

The PRESIDING OFFICER (Mr. RUSSELL of South Carolina in the chair). The amendment will be received and printed, and will lie on the desk.

Mr. CHURCH obtained the floor.

Mr. MORSE. Mr. President, will the Senator suggest the absence of a quorum? I believe that some of the leaders wish to be called back to the floor.

Mr. CHURCH. 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. CHURCH. 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. CHURCH. Mr. President, S. 1446, the bill to create a National Wild Rivers System is landmark legislation. With it, we can save for ourselves and our descendants some of that delight and stimulation former generations have known in America's unspoiled and unsurpassed wild rivers. The bill initially designates segments of five magnificent streams to be preserved in their natural, free-flowing condition. No dams could be licensed for construction upon them. The bill also provides, for study and possible later inclusion, segments of 11 other rivers—and outlines procedures by which these and additional streams may be added to the system in the future.

Only congressional action can adequately protect the remnants of America's great, rushing stretches of white water; the salmon-spawning rivers, and those rare waterways of pure, clean current which mirror banks and foliage almost as old as time itself.

As President Johnson said in his message on natural beauty, the time has come "to identify and preserve free-flowing stretches of our great scenic rivers before growth and development make the beauty of the unspoiled waterway a memory."

And as Secretary of the Interior Stewart L. Udall wrote in his report to the Congress on the bill, "the time to act is now, before it is too late."

Mr. President, this feeling of urgency is reflected in a tremendous volume of mail I have received from throughout the country since my introduction of S. 1446. There is a groundswell of public concern for the fate of these majestic streams, many of them threatened by dams which would forever destroy their beauty and ecology.

Only a few rivers in the continental United States remain untamed. And nowhere are there left such jewels of wild rivers as the Salmon and Clearwater systems in my own State of Idaho. Anyone who has known the pristine mystique of the Clearwater's tributaries, the Lochsa and the Selway, or has rafted down the rampaging torrents of the Salmon, or has pulled a fighting steelhead trout from its depths, will appreciate how supremely these rivers qualify as the lead-off rivers in this bill. The Salmon would be included from the town of North Fork downstream to its confluence with the Snake, along with its entire Middle Fork. The Clearwater segment would include its Middle Fork, Lochsa and Selway tributaries.

Several years ago, I set out to prevent the construction of dams on the Salmon by proposing the Salmon River preservation bill. My primary purpose was to save the Salmon's nursery for the great anadromous fish runs of the Pacific Northwest. How acute this problem has become, involving millions of dollars in both sport and commercial fishing is indicated by the complete closure of salmon fishing in Idaho last year by the State fish and game department, due to lessened runs. Oregon also placed a closure on commercial fishing in the Columbia. Downstream dams, off-reservation Indian fishing guaranteed by treaty, and other factors which need to be better understood, have reduced the upstream migration. S. 1446, by preventing the licensing of dams on both the Salmon and the Clearwater, will help keep open the vital water courses which lead to the spawning grounds high in the heart of Idaho's uplands. This bill alone cannot guarantee the preservation of the salmon migration, but it is an indispensable part of any salvage program worthy of the name.

The other three river segments in the initial system would be 95 miles of the Rogue in Oregon, from the Applegate River to the Route 101 highway bridge above Gold Beach; 50 miles of the Rio Grande in New Mexico, from the Colorado State line downstream to near the town of Pilar, and the lower 4 miles of its tributary, the Red River; and 37 miles

of the Eleven Point in Missouri from a point near Greer Spring downstream to State Highway 142.

These are all fabulous rivers. The Rogue is famous for its white water, and rich in salmon and steelhead. The Rio Grande segment passes through a deep and colorful canyon dissecting ancient lava flows, and serves up some of the finest brown trout in the Nation. The Eleven Point is renowned for its crystal clear springs, Ozark's scenery and smallmouth bass fishing.

Rivers to be studied for possible future inclusion are segments of the Suwanee in Georgia and Florida, the Green in Wyoming, the Buffalo in Tennessee, the Cacapon in West Virginia, the upper Hudson in New York, the Missouri in Montana, the Niobrara in Nebraska, the Skagit in Washington, the Susquehanna in New York and Pennsylvania, the Wolf in Wisconsin, and the Youghiogheny in Maryland and in Pennsylvania.

The rivers in the initial system flow mainly through the public domain. Accordingly, they would be managed by either the Secretary of Agriculture or the Secretary of Interior, or jointly, based upon the extent of their administrative areas in the river sectors involved. Rivers added in the future might also be managed in cooperation with States, or States and local governmental agencies, or by the States exclusively.

Mr. President, the weight of evidence, in terms of what best serves the public good, overwhelmingly favors saving, unobstructed, these particular rivers so that we might preserve and promote their great recreational value, now and in the years ahead. If we fail to give these rivers, which are assets of unique and incomparable value, statutory protection now, while there is still time, we shall have only ourselves to blame later, when time has run out. It is not enough, for instance, to say that we can settle whether or not to build dams on the rivers when the question arises; that is, when an application is filed with the Federal Power Commission.

Under present law, once an application is filed, who will do the deciding? Not the people of the particular States involved, for there will be no public referendum. Not the State agencies, for they lack the jurisdiction to decide. Not the State delegations in Congress, for they lack the numbers to guarantee the outcome of any vote. Not, indeed, the Congress itself, for Congress is loath to wrest jurisdiction from the Federal Power Commission, once an application for a license has been duly brought before it.

The wild rivers bill is necessary, if jurisdiction is to be taken from the Federal Power Commission to license dams within the protected system which the proposed legislation would create.

Some sections of the United States, such as my own State, are blessed with an abundance of water, much of which we shall want to harness behind dams for such purposes as reclamation, flood control, navigation, and the generation of hydroelectric power. Fortunately, these areas are also favored with many potential damsites. But if all of them, on each and every river, remain open for dam building, we shall have relinquished our entire river system to these particular uses, and these alone. Other public uses, equally important to our economy and to the preservation of a wholesome outdoor life for our people, will be left without statutory protection. In this situation, since the licensing of dams is left up to public agencies which exist for this purpose, the end result is perfectly predictable: In the absence of a national wild rivers system, every feasible site will eventually be used for dam construction. The past 50 years offer no evidence whatever that dam builders will voluntarily stop building dams. Unless laws are enacted to save some of our remaining free-flowing rivers in their natural untamed state, wild rivers will vanish from our land.

Mr. President, the proposed legislation reaches the floor of the Senate after extensive hearings and thorough consideration by the Senate Interior Committee—and a history of much earlier study by other expert groups.

In 1961, the Senate Select Committee on National Water Resources recommended that certain streams be preserved in their free-flowing condition because their natural scenic, scientific, esthetic, and recreational value outweigh their value for water development and control purposes now and in the future.

In 1962, the Outdoor Recreation Resources Review Commission recommended that certain rivers of unusual scientific, esthetic, and recreational value be allowed to remain in their natural free-flowing state without man-made obstructions. In 1963, the Secretaries of the Interior and Agriculture appointed a special wild rivers study team. Over an 18-month period, the team identified 73 rivers meriting attention for preservation and studied 22 of these in some detail. The bill the Senate is considering today is based upon the results of this study.

I introduced S. 1446 10 months ago, on March 8, 1965. Thirty-one Senators joined in cosponsorship. Hearings by the full Interior and Insular Affairs Committee were conducted April 22 and 23. A special task force of the committee conducted field hearings at Green River, Wyo., May 17 and at Boise, Idaho, May 18. On September 15 of last year, the committee voted to favorably report the bill to the Senate, with minority views.

As reported, S. 1446 may well be regarded as a corollary to the Wilderness Act, but it is very different in concept and application. A limited area along the banks of the rivers would be included in the system, which would be administered to promote maximum public use and enjoyment. Unlike the restrictions on use in a wilderness area, this bill would recognize and adopt the multiple-use principle on the public lands concerned. Timber harvesting and livestock grazing which do not substantially interfere with the use and enjoyment of the river would continue along the federally owned banklands. Mining would also be allowed, although claims on such banklands, located after the effective date of the act, would be subject to reasonable regulation to protect the river against pollution. The bill also contains no prohibition against the construction of needed roads or bridges.

Where the rivers flow through lands which are more than 75-percent publicly owned, thus assuring adequate banklands for public access, campgrounds and recreational facilities, condemnation of private land is permitted for scenic easements only, not for fee title. Where the power of general condemnation is conferred, the Government is still limited in its use to acquiring no more than 300 feet on either side of the river in fee title, and may not, in any case, condemn for scenic easements an area which extends more than 1,320 feet from either riverbank.

Precaution has been taken to fully protect established water rights, and to make certain that State water laws are not infringed in any way. The Senate Interior Committee hammered out amendments to the original language to make doubly sure that the status quo with respect to water law remains unchanged. These amendments are in section 5 of the bill, and are spelled out in the committee report.

Nothing in the bill affects the jurisdiction or administration authority of the States with respect to fish and wildlife.

Obstruction of wild rivers by damming normally accomplished through construction or licensing by Federal agencies would be prohibited, except as expressly authorized by Congress.

There is also an amendment adopted in the closing session of the Interior Committee which would establish a National Wild Rivers Review Commission to inform the Congress whenever changing public needs indicate that revisions should be made in the wild rivers system. This amendment was proposed by my colleague, Senator JORDAN, and I supported it.

The amendment contemplates a continuing review and evaluation of the system which could lead to the removal of a river, if a greater public need for a different use should later develop. However, I think it should be stressed that even without the amendment, it would always be open to Congress to remove rivers from the system, should changing conditions make this desirable. In brief, we can place these segments of wild rivers within the protection of the bill now, and still admit to the possibility that a higher public need for turning them to some other use might conceivably emerge in the future. But we cannot have it the other way around. Once a dam is built, a wild river is lost forevermore.

The committee majority resisted attempts to move the Salmon and Clearwater back into the study group of rivers because they typify, more than any others, the national wild rivers concept of streams that should become portions of the initial system. Keeping these rivers in the first group has been endorsed by the major newspapers of Idaho, by our Governor, the Idaho Fish and Game Commission, and numerous Idaho sport and wildlife organizations. The

introduction of the bill resulted in a tremendous outpouring of mail from the citizens of Idaho in support of it.

Other changes made in committee include the moving of the Suwannee and Green from the initial group back to the study group of rivers, and the Eleven Point from the study group up to the initial group. The committee felt both the Suwannee and Green should have additional consideration because of problems peculiar to each area. On the other hand, the Eleven Point was moved to the initial group at the request of the Missouri Senators and the Governor of that State.

The reported bill was scheduled to be taken up by the Senate near the close of the last session. It was at this time that the Idaho Water Resorces Board, a newly created Idaho State agency, called a public hearing on the ultimate uses of the Clearwater and the Salmon. Out of deference to the board, which had scheduled its hearing for a date after adjournment, the Senate leadership agreed to my request to delay consideration of this bill until now.

No doubt, popular support for this bill in Idaho has been occasioned, in part, by a realization of the growing importance of outdoor recreation to the economy of our State. Tourism—hunting, fishing, the burgeoning numbers of summer vacationers seeking escape from the the confinement of megalopolis—is the most dynamic force at work in creating new income for the people of the Mountain West. Ten years ago, for example, tourism was a $48 million annual business in Idaho. In 1965, the figure is expected to surpass $175 million. In less than two handfuls of years, tourism his spiraled upward to become Idaho's third most important source of revenue.

And the expansion has just begun. In the next 35 years, the population of this country will double. The demand for outdoor recreation will triple. The great majority of Americans will be more affluent and have more time for recreation than they do today. Projections indicate that they will have more than twice as much disposable per capita income and paid-vacation time as in 1960. Their average workweek will have decreased from 39 to 32 hours. Obviously, the future of America's vacationlands is filled with promise.

What we make of that future, and how successfully we pass along to posterity the enjoyment of these scenic and recreational resources, depends upon how well we husband them. It depends, in short, upon how farsighted we are in insisting upon a wisely balanced development of our natural endowment. In places where the terrain permits—as in southern Idaho—we shall want to use unappropriated water for new reclamation projects; in other places, on rivers already obstructed, we shall want to build new power dams; but in still other places, in areas of mountain-locked grandeur where the water still runs pure and free, we should seek to preserve our finest untamed streams by including them with a national wild rivers system.

Mr. President, the cause I plead is not only that of those of us who sponsor this bill. It is that of the foremost conservationists of this country; it is that of the people, the large majority of whom, I am persuaded, earnestly favor the passage of this bill.

And it is that of the President of the United States, who has said that if future generations are to remember us more with gratitude than sorrow, we must leave more than a legacy of technology.

"We must also leave them," Lyndon Johnson has said, with "a glimpse of the world as God really made it, not just as it looked when we got through with it."

Let us pass this bill, and assure those future generations that they, too, may know and enjoy these wonderful rivers as God made them.

Mr. JACKSON. Mr. President, I rise in support of the wild rivers proposal now pending before the Senate. I think we can all agree that great strides have been made in recent years to meet the increasing outdoor recreation demands of the American people. I am proud to be chairman of the legislative committee in the Senate which has had initial responsibility for processing these great measures, affecting the well-being of all of our citizens. Several important additions have been made to our national park system since 1961. Also enacted into law have been such historic conservation measures as the Wilderness Preservation System, the Land and Water Conservation Fund Act, and the Organic Recreation Act, giving statutory guidelines to the operation of the Bureau of Outdoor Recreation. Although much has been accomplished, much more needs to be done to meet the obligation which the Congress must meet to fulfill the needs of our Great Society. The bill before us today is a fitting addition to the long list of accomplishments in the field of conservation and wise utilization of a portion of our national heritage.

Mr. President, as a cosponsor of S. 1446, the wild rivers bill—and as chairman of the committee which reported it after extensive deliberations—I want to stress that I believe this legislation is imperative.

It is imperative if we are to preserve these remarkable remnants of the original American landscape, for without such protection they are subject to possible destruction. Once gone, they are lost forever.

The two leadoff rivers in the bill, segments of the Salmon and Clearwater in Idaho, are also the major spawning grounds on the Columbia River system for salmon and steelhead trout. These nurseries are invaluable to Pacific Northwest sport and commercial fisheries. Placing them in the National Wild Rivers System will prevent the destruction and elimination of the nurseries and the runs.

Preservation of wild streams is also urgent because industrial and other pressures will not relent, but rather increase with each passing year. We must act now to save some of the river segments which so vividly illustrate the original majesty of America's untamed waterways.

The bill which the committee reports to the floor, even with its minority report, was hammered out in full agreement that a National Wild Rivers System is needed. Numerous amendments were adopted to protect water and other rights. The final amendment, unanimously agreed upon in committee, is one which establishes a review commission to assure that if a greater public need occurs in the future, the commission could recommend to Congress the removal of a river from the system.

Mr. President, I am particularly proud of my committee in its handling of this bill. Members devoted long hours to discussion and analysis of its every aspect at a time when the pressure of their office and floor work was tremendous. As evidenced by the minority report, there was disagreement over some of the bill's provisions, but none as to the objective and the necessity of the legislation. Indeed, the minority report states:

> This is a highly praiseworthy use of America's dwindling resources to meet the ever-increasing demand of our pleasure-seeking population and has its rightful place in the overall plan of national outdoor recreation.

I am sure we all agree on the need to act on the measure without delay.

Mr. President, I wish to express my appreciation to all members of the committee, those who agreed as well as those who disagreed with some provisions in the bill, as indicated in the majority and minority reports.

I wish to pay special tribute to the distinguished senior Senator from Idaho for his conscientious efforts in regard to this bill and the many hours he spent going over the amendments. He has been thoughtful throughout. I believe that the bill before the Senate is the product of the give and take of the committee process to an extent I have not seen in a long, long time.

I commend the bill to the Senate and urge its early passage.

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

Mr. JACKSON. I yield.

Mr. MORSE. I oppose the bill in its present form, although I hope amendments can be adopted that will make it possible for me to support the bill.

I have two questions to ask the Senator from Washington at this time.

The bill, S. 1446, at page 17 contains an item, No. 17, which places the proposed Skagit Wild Rivers Area under the study section of the bill. Will the Senator from Washington advise me as to why the Skagit area was not placed under the so-called instant wild rivers area section of the bill?

Mr. JACKSON. The Skagit River came in the study provision of the bill because it was recommended in that way.

After long and careful study by those in the Department of Interior it was not found to be one of the rivers recommended for immediate inclusion. It was one of the rivers included in the study category from the very beginning.

The chairman of the committee did not change this item, nor did he previ-

ously consult with the Department or ask that it be changed from the form in which it was submitted. It came to the committee in that form.

Mr. MORSE. Has the Senator from Washington any objection to removing the Rogue River, item No. 3 of the so-called instant wild river section of the bill, and having that project placed in the study section?

Mr. JACKSON. I say to my good friend that it was my definite impression that there was no opposition to the Rogue River in the Wild Rivers System.

It was my definite understanding that there was general agreement on this item, and I hope it will be kept in the bill.

Mr. MORSE. The Senator should know, before I get down to my opposition to the bill in its present form, that there is no agreement on the Rogue River. There is great disagreement in my State.

I assume responsibility for the fact that I was not aware of the action of the committee and the fact that legislation of this type comes as a great surprise to the senior Senator from Oregon.

I respectfully suggest that both the Department of the Interior and the committee should have delayed, and perhaps make the senior Senator from Oregon aware of what is proposed in the bill in relation to the Rogue River. They should have advised and consulted with me.

The present provision with regard to the Rogue River is totally unacceptable to the senior Senator from Oregon, and I shall oppose that section of the bill.

Mr. JACKSON. I appreciate and respect the comments of the Senator. I will await with interest his reasons for the objection or inclusion of the river in the regular part of the bill.

We received letters from Oregon. There was a statement by the county commissioner of Josephine County in Oregon, as I recall, in support of it, and another letter from the parks service of Josephine County, Oreg., dated April 19, in support of it, and other letters which were included in the record.

I say to the distinguished Senator from Oregon that I had the distinct impression—I do not know what impression other Senators had at the time—that the inclusion of the Rogue River was acceptable. I can understand that obviously there may be reasons for objection. I shall await and listen with interest, of course, to the debate on this point.

Mr. MORSE. I will comment in some detail later. I wish to say in passing that it would be a great mistake to assume unanimity in my State in regard to including it prior to putting in the study program.

Mr. JACKSON. I appreciate that, and I shall await with interest the discussion on this point.

Mr. CHURCH. I thank the distinguished chairman of the committee for the statement he made and also for the encouragement he gave to members of the committee in the course of the extensive hearings that were held. I have referred to those hearings, some of which were held in Washington, and some in the West.

I wish to underline what the Senator from Washington has said. The evidence coming to the committee from Oregon was largely favorable. We did not know, at any time during the past year while the bill was before the committee, of any serious objection to the inclusion of the Rogue River from within the State of Oregon.

However, as the Senator from Oregon knows, I shall try to reach a satisfactory arrangement with him, if at all possible, provided we do not emasculate the bill or destroy the efficacy of the system it creates.

Again, I thank the Senator from Washington.

Mr. JACKSON. I thank the distinguished Senator from Idaho; and I express again to him my personal appreciation for the fine way in which he handled the hearing for the chairman.

TRUTH IN GOVERNMENT

Mr. WILLIAMS of Delaware. Mr. President, when the President delivered his state of the Union message to Congress last Wednesday night, he advocated legislation to provide truth in packaging and truth in lending.

Both proposals were recommended as being necessary to protect American consumers from misrepresentation in the cost of interest and to require proper labeling in the quality and quantity of groceries.

To supplement those two proposals I am today recommending that a third step be taken—that is, more truth in government. I am hoping that the President will lend his support to this third proposal, which is most essential to protect American taxpayers from misrepresentation with respect to the true costs of some of the legislative proposals of the Great Society, and the true facts as to the actual deficits that are being incurred under this administration.

I make this appeal for truth in government because I believe the American people have a right to know that the expenditures under this administration are the most extravagant of any administration heretofore in the history of our country.

During the past 5 years the deficits of the Kennedy and Johnson administrations have exceeded $31,500 million. This does not take into account the deficit which is expected and projected for June 30 of this year. This amount is equivalent to $6 billion a year more than is taken in. It represents $500 million every month beyond our income.

This spending beyond our income and assuming the Government is on a 5-day workweek means that we have been living $25 million a day beyond our income for the past 5 years.

The deficits of the past 5 years alone have exceeded the total cost of all Government expenditures during the 5 years between 1914 and 1919, a period which included the total cost of World War I. This compares the deficits of this administration with the total cost of Government expenditures, including the cost of World War I, between 1914 and 1919.

The deficits of the Great Society in the past 5 years exceed the total expenditures of the New Deal administration in the 5 years between 1933 and 1938. All these deficits have been created in the midst of the flowery speeches and promises about how the budget is being balanced. We are always looking forward to the future, to that great day when the country will be living within its income.

Frankly, I am wondering if the only hope of ever balancing the budget is the hope of the administration that some day the Republican Party will take over and restore some degree of fiscal responsibility.

Anyway, let us go back to the statements that have been made in the past. Let us go back to January 30, 1961, when President Kennedy, in his state of the Union message, told Congress:

> It is my current intention to advocate a program of expenditures which with resulting revenues from a stimulation of the economy will not of and by themselves unbalance the budget.

The deficit for fiscal 1962—that same years—was $6,378 million, or more than $500 million a month.

The following year, 1962, President Kennedy addressed a joint session of Congress on January 11. He said:

> I am submitting for fiscal 1963 a balanced Federal budget.

The deficit for fiscal 1963 was $6,266 million.

The following year, 1963, President Kennedy in his message to Congress on January 14 said:

> I will shortly submit a fiscal 1964 administrative budget which, while allowing for needed rises in defense, space, and fixed interest charges, holds total expenditures for all other purposes below this year's level.

The deficit for that year jumped to $8,226 million, or an average monthly rate of almost $700 million a month beyond income.

On January 21, 1964, President Johnson, in his first state of the Union message to Congress, said:

> My proposals call for administrative budget expenditures in 1965 of $97.9 billion—$900 million less than requested in the 1964 budget.

Continuing, he said:

> This marks an important first step toward a balanced budget.

The deficit for this fiscal year was $6.281 billion, or again more than $500 million a month.

The following year, on January 4, 1965, President Johnson, in his state of the Union message, said:

> We will continue along the path toward a balanced budget in a balanced economy.

The policy of a deficit was continued. The deficit for fiscal 1966 is estimated to be about $7 billion, and that does not include the $2.687 billion which represents

the results of the accelerated corporate tax approved last year, a subject which I shall discuss in a moment.

By the administration's own figures, the deficit for 1966 will be $9.687 billion; yet last week President Johnson, in his state of the Union message to a joint session of Congress, said he would reduce the deficit for fiscal 1967 to $1.8 billion.

I say that a program of truth in government is needed. The American taxpayers have a right to know whether the labels being put on the Government's financial package are accurate, true descriptions, because based on the Treasury Department's own figures, the estimated deficit for fiscal 1967 is not $1.8 billion, but $9.2 billion.

I shall explain that point.

Last year Congress passed a tax revision bill, although it was called a tax cut—by the way, it was the shortest tax cut in the history of the country. It has been referred to as a Texas crew-style tax cut. The American people hardly had a chance to think about it before the proposal to repeal it was made. It reminds one of the shell game—now you see it; now you do not.

Under the President's proposal the rate at which Americans will pay their taxes will again be accelerated. Last year Congress advanced corporate payments into the 1966 fiscal year in the amount of $1.260 billion, and under the same proposal $1.340 billion was moved into the 1967 fiscal year.

In addition the Government is now coining new silver quarters and half dollars having a lower content of silver. As a result, the seigniorage from these new coins is estimated to enable the Government to make a profit in the next fiscal year of $2.5 billion over and above what it would have received if the coinage of full content silver coins had been continued. This extra profit is being included as a part of the general revenue. It is nonrecurring revenue, but it is being included as though it were additional or continuing revenue.

In the 1966 fiscal year the Government sold copper and other material from its stockpiles to the value of $332 million. This, too, was included in fiscal 1966 income, although it is a nonrecurring item.

In the President's message of last Wednesday night a further acceleration of the corporate tax payments was recommended. If Congress accedes to the President's request the Government will collect in fiscal 1967 an additional $3.2 billion in taxes from the corporations. This is not counting increased taxes to be received from the reinstated telephone and automobile taxes. I am speaking now only of the accelerated corporation taxes under the President's request. It would move forward $1 billion extra of the corporate taxes into fiscal 1966 and into fiscal 1967, another $3.2 billion.

The withholding tax acceleration for individuals recommended by the Treasury Department would bring another $95 million into fiscal 1966 and $400 million in the next fiscal year.

Stated otherwise, this is the same as borrowing on next week's salary to pay this week's grocery bills—and that is exactly what it is. By accelerating the payment of corporate taxes plus the profit on the coinage of the new silver coins the Government will collect in the fiscal year 1966 an extra $2.687 billion and $7.440 billion in fiscal year 1967. These are nonrecurring items.

If we add this $7.4 billion to the $1.8 billion deficit predicted by the President we find that they will be spending $9.240 billion more in fiscal 1967 than they are taking in. When we reach the point next year where we shall not have a chance to include nonrecurring items we will be confronted overnight with a drastic proposal to raise the taxes to finance such proposals or we will have a tremendous increase in the deficit and the resulting wild inflation.

The only thing the administration's proposal for accelerated payments would do would be to postpone the day when we must tell the American people the truth, which the administration probably hopes will not be until after the 1966 congressional elections.

We need a truth in government program, and I hope that the administration will support this new plan. Let us label it "Truth in Government." We certainly do not want the LBJ brand, which is being put on so many of the programs, ever to become synonymous with the slogan, "Little Budget Juggling." Surely such a slogan would not please the President. To prevent this I hope that he will lend his support toward telling the American people the truth as to exactly what the administration is spending. Let the administration tell the taxpayers it is spending in excess of its income at the rate of $500 to $600 million per month and that the deficit is continuing to rise.

In addition, there is no provision in last year's budget as it was submitted to the Congress—and we are told that it will not be in the budget which will come to us next month—for the approximately $14 billion that the administration will ask for in the way of supplemental appropriations to finance the war in Vietnam.

Certainly, we will appropriate this money to finance the Vietnam war. With our boys dying on the foreign battlefield, none of us, regardless of how we may feel concerning economy in Government, will try to curtail expenditures in that particular field. Nevertheless, let us tell the American people the truth as to what this war is costing. This $14 billion is the taxpayers' money, and either taxes will be raised or it will further increase the debt. To finance all these expenditures by debt would only be accelerating the inflation in this country.

The President in his message on last Wednesday night referred to the fact that the cash flow of the Government will actually exceed expenditures, as though that were something great and unusual.

When we discuss the cash flow of the Government we are including in that figure all of the money that is collected under social security, the money that is collected for the medicare program—which does not go into effect until later this year—the railroad retirement fund collections, and all of the civil service retirement deductions.

These are trust fund receipts and are in no way, to be confused with the administrative budget. To quote such figures as an indication of a balanced budget is misleading and does not represent truth in government.

Certainly no man, not even the President of the United States, is going to recommend the commingling of all of these trust funds, or the liquidating of those trust funds to pay for the Great Society programs. If that is being recommended let it be known.

The only way that we can finance the deficit is by borrowing money and charging it up to our grandchildren, as we have been doing. The Government of the United States does not have access to any mysterious source of income, contrary to what many people think. The only source of revenue of the Federal Government is the money which has first been taken, either directly or indirectly, out of the pockets of the taxpayers. Otherwise we create a deficit, borrow the money, and charge it up to the generations to come. This is what this administration has been doing.

The Senator from Vermont [Mr. AIKEN] just suggested that they may be planning to print the money, and that would mean a complete breakdown of our currency.

This administration, which has shed so many crocodile tears as to how they sympathize and respect the plight of the aged, has been doing more to pauperize the aged in this country than any administration in the history of America. This administration through its inflationary policies has destroyed the life savings of the retired people by destroying the purchasing power of their pensions, their life insurance policies, their savings accounts, and their savings bonds. Many are finding today that they cannot make both ends meet because of inflation. This is a planned inflation of this administration. The Secretary of the Treasury and the Director of the Budget boasted to the Committee on Finance that these deficits were planned and that they actually thought there was virtue in them. Now that inflation appears to be getting out of hand they are beginning to panic and to suggest numerous one-shot remedies to correct the deficits. They still have not demonstrated the courage to advocate a program of reducing expenditures or raising taxes.

If any man wants to discover what inflation means in America, he can take a Series E bond. Eight or ten years ago one paid $75 to get back $100 today. The Government is paying the $100. However, one cannot buy with the $100 today what he could have purchased with $50 eight or ten years ago when he purchased the bond. This has been caused by the inflation which has destroyed not only the earned interest on the bond but also a part of the principle.

There are many retired schoolteachers today and retired workers from private industry and government who have discovered that their pensions are not adequate to take care of their needs.

As a result of this planned inflation the aged have been pauperized to the extent that they cannot buy their groceries and necessities of life. Many now find it necessary to appeal for public charity. And the spendthrift policies of the Great Society are responsible for this gradual erosion of the value of the dollar.

This Government cannot spend itself into prosperity on borrowed money any more than a man can go out on Monday morning and drink himself sober. One is as ridiculous as the other.

The Great Society must accept the full responsibility of the inflation which they have deliberately planned.

If we study the history of inflation in any country we will find that inflation does not hurt the big man. Most of the investments owned by such people consist of fixed assets, stocks, securities, or perhaps television stations. The more wealthy own X percent of America, whether it is valued at $1 million or $2 million. It would not make any difference. He would still own X percent of America, and as inflation expands, his net worth increases.

However, a workingman or a man who is trying to live on a fixed salary or a pension is the one who really suffers under inflation, and he is the man who cannot afford it.

I believe that it is high time that we have a true truth-in-government policy and that this administration should stop trying to camouflage the costs of its program with a lot of fancy labels in an attempt to deceive the American people.

The administration should tell the people exactly what these programs cost and what the deficit is. Instead they are pauperizing the aged in this country and promoting a policy by which the rich get richer and the poor get poorer.

The administration is pauperizing the very people for whom they are expressing sympathy and shedding crocodile tears.

Mr. President, I ask unanimous consent that there be incorporated in the RECORD a statement by the Secretary of the Treasury showing how these accelerated payments on the corporate taxes and graduated withholding will increase the tax revenues in the fiscal years 1966 and 1967. These are the figures which I have just outlined. In addition, I ask unanimous consent that there be printed at this point in the RECORD a letter signed by the Secretary of the Treasury under the date of December 17, signed by Joseph W. Barr, Acting Secretary, in which he outlines the $2.5 billion profit that can accrue as a result of the so-called seigniorage, or the changing of the silver content of the coins. I also ask unanimous consent that a statement dated January 6, 1966, by the Joint Committee on Taxation showing the result of acceleration of the corporate taxes under the 1964 law. The first chart shows the results of the suggestion contained in the President's message.

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

Estimated revenue effects on President's tax proposals (assuming Mar. 15, 1966 enactment)

[In millions of dollars]

	Receipts increase	
	Fiscal year 1966	Fiscal year 1967
1. Excises:		
Local and long-distance telephone, and teletypewriter service (if effective Apr. 1, 1976)		790
Automobiles (if effective Mar. 15, 1966)	60	420
2. Corporate income taxpayment speedup (if effective Apr. 15, 1966)	1,000	3,200
3. Graduated withholding system for individual income taxes (if effective May 1, 1966)	95	400
Total (administrative budget effect)	1,155	4,810
4. Self-employment tax, social security quarterly payment (if effective June 15, 1966) [1]	100	100

[1] Estimate refers to effect upon cash budget receipts.

Source: Office of the Secretary of the Treasury, Office of Tax Analysis, January 1966.

THE SECRETARY OF THE TREASURY,
Washington, December 17, 1965.

Hon. JOHN J. WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: The following information is supplied in response to your letter of December 3, which was previously acknowledged.

1. The acceleration of corporate tax payments provided in the Revenue Act of 1964 produced estimated additional receipts of approximately one and a quarter billion dollars during fiscal years 1964 and 1965 combined.

2. Seigniorage profits on the new coinage will depend upon the production necessary to catch up with current demands and meet future demands for coins. Seigniorage in fiscal years 1966 and 1967 combined has been estimated at from under $1.5 to $2.5 billion. These estimates are under review in connection with the 1967 budget. Beyond these years, after the backlog in demand has been met, seigniorage receipts can be expected to fall sharply, perhaps to $200 to $300 million per year.

Seigniorage profits are covered into the general fund of the Treasury as miscellaneous budget receipts. Minor amounts are automatically appropriated for expenses of coinage distribution and wastage, and the costs of alloy metals used in subsidiary silver coins, but otherwise seigniorage is not earmarked for specific purposes. Again, in connection with the 1967 budget, President Johnson has requested Secretary Fowler, the Chairman of the Council of Economic Advisers, and the Director of the Bureau of the Budget to study the accounting treatment accorded seigniorage and to make appropriate recommendations.

Whether seigniorage is an artificial receipt or not, is, of course, a matter of definition. Seigniorage from coinage has always been a continuing, although minor, receipt item. The bulge in seigniorage receipts expected in fiscal years 1966 and 1967 represents largely a catching up on the sharp rise in demands for coins in the past several years.

3. Profits from the sale of silver bullion amounted to about $13 million during the fiscal years 1961–65. Receipts from this source are covered into the general fund of the Treasury as miscellaneous budget receipts.

4. Proceeds from the sales or disposition from the strategic and critical materials stockpile during the fiscal years 1961–1965 amounted to $595.5 million. This was covered into the Treasury as miscellaneous budget receipts. Of the total amount, $49.9 million was set aside in a special fund to cover the major portion of the costs of acquisition and operations of the strategic and critical materials stockpile. The remainder, $545.6 million, was used to support general fund expenditures. The year-by-year receipts were as follows:

[In millions of dollars]

1961	80.1
1962	53.4
1963	74.0
1964	129.5
1965	258.5

The original purchases of materials in the national stockpile were reflected as budget expenditures at the time the purchase transactions took place. The proceeds from subsequent disposal of surplus materials from the stockpile are covered into the Treasury as miscellaneous receipts.

Inventories accumulated under provision of the Defense Production Act of 1950, while separate from the strategic and critical materials stockpile (national stockpile) discussed above, are reflected in the determination of total stockpile objectives and as such are included by some in their definition of national stockpile. Proceeds from the sales from the Defense Production Act inventory during fiscal years 1961–65 amounted to $192.3 million. These proceeds are treated as income to a public enterprise revolving fund and are thus deducted from the funds expenses in arriving at net budget expenditures. The year-by-year sales the Defense Production Act inventory were as follows:

[In millions of dollars]

1961	34.0
1962	37.8
1963	14.5
1964	31.6
1965	74.4

5. The Treasury gold stock on December 31, 1964, amounted to $15,388 million. On December 6, 1965, the total was $13,809 million. The decrease is principally the result of foreign purchases of gold although total sales included moderate domestic sales for industrial and artistic purposes.

Sales (or purchases) of gold, whether domestic or foreign, are treated as exchanges of assets; i.e., the reduction in the Treasurer's gold is offset by an increase (decrease) in his deposit balances. For this reason, these sales do not affect budget expenditures nor the deficit. Sales of gold, of course, reduce our total gold reserves.

Sincerely yours.

JOSEPH W. BARR,
Acting Secretary.

CONGRESS OF THE UNITED STATES,
JOINT COMMITTEE ON INTERNAL REVENUE TAXATION,
Washington, January 6, 1966.

Hon. JOHN J. WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: This is in reply to your request to Mr. Vail, chief clerk of the Senate Committee on Finance, for estimates of the effect of the acceleration of corporate tax payments enacted in 1964.

At the time the bill was being considered we prepared estimates of the effect of the acceleration, assuming that corporate profits

continued at the 1963 levels. These estimates are as follows:

Effect of acceleration of corporate tax payment

	Millions
1964	+$230
1965	+710
1966	+1,260
1967	+1,340
1968	+1,340
1969	+890
1970	+800
1971	+130
1972	0

The actual level of corporate profits increased in 1964 and again in 1965. The tax collections reported by the Internal Revenue do not separate the accelerated payments, but from the collections as reported we estimate that the effect of the acceleration in the fiscal year 1965 was close to $1 billion. For the current fiscal year, 1966, we now expect that the speedup will increase receipts by an amount between $1½ and $2 billion. We use a range for this year because we do not have a firm figure for corporate profits in 1966, and we have not carried the revision through the years beyond 1966.

I hope this information meets your needs.

Sincerely yours,

LAURENCE N. WOODWORTH,
Chief of Staff.

Mr. WILLIAMS of Delaware. Mr President, I wish to make one further comment about truth in government. That pertains to the Commodity Credit Corporation. The Commodity Credit Corporation has borrowing authority up to $14.5 billion. As of their most recent statement they owed the U.S. Government $12,129,383,000.

On that same date, the investment that was in inventory and loans to Commodity Credit Corporation was only $6,233,896,646. If the Government were able to liquidate its entire holdings of agricultural commodities and obtain in return therefor the full investment plus all storage costs—which we do not believe they can do—it would amount to $6.233 billion, or a deficit of $5.895 billion.

This actual loss has not been faced by the administration in its budgetary requests, with the result that a true picture of our deficit is reduced by that amount.

A truth-in-government policy would correct this misleading information.

This nearly $6 billion does not consist entirely of last year's deficit. Part of it is last year's, and part of it is from the year before. It relates to the last 2 or 3 years. However, they are deficits which have been realized but not written off.

The Senator from Florida [Mr. HOLLAND] last year tried to get Congress to recognize that method as being unrealistic and unfair, and tried to get Congress to appropriate money so that we could show the true cost.

I supported the Senator on that proposal, and I complimented him on his effort. However, we were not successful because the administration did not want the American people to know that there is another $5 billion that has been spent. The administration did not want to admit the true deficit.

Mr. President, we need truth in government. While the administration has this subject on its mind and is advocating the need for truth in lending and packaging all I ask is that it start practicing what it is preaching and give us some truth in government. The administration should tell the American people just exactly what these programs will cost and what will happen to the American dollar if spendthrift policies of this administration are continued.

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

Mr. WILLIAMS of Delaware. I yield.

Mr. SIMPSON. I compliment the Senator from Delaware on the excellent presentation that he has made to the Senate today. It is very important that this subject be taken into consideration during our deliberations in the Senate.

It is my understanding that the national payroll of Federal employees will exceed more than 2½ milion this year. The administration has already confessed that bills passed in the last session will call for the employment of an additional 100,000 employees. Does the Senator know what that would add to the deficit?

Mr. WILLIAMS of Delaware. I do not have the exact figures, but the amount would be substantial, I assure the Senator. There is no question that those extra people will be employed. As I said before, the Government has access to no mysterious sources of income. It distributes back to the taxpayers a part of what it takes from them in the first instance. As we establish these new programs we inevitably establish a new bureaucracy.

That is why I say that the taxpayers are bound to lose in connection with these Federal aid programs. About 20 percent of the amount involved will be used to pay the salaries of the bureaucracy which will be set up here in Washington to distribute the money to the taxpayers. This bureaucracy will be set up for the purpose of distributing the money back to the taxpayers and telling them how to spend it.

No one gets anything for nothing out of the Federal Government. Some day we will wake up to that truth.

LETTERS TO VIETNAM SOLDIERS

Mr. BYRD of West Virginia. Mr. President, some fine young students at Woodrow Wilson High School, Beckley, W. Va., recently wrote open letters to American soldiers in Vietnam, and the letters were published in the Beckley Raleigh Register.

The letters bear evidence of the fine spirit which I believe is more prevalent among American youth than is the regrettable attitude shown by a small minority of students, which has been given wide and damaging publicity as a result of the demonstrations and protest marches against our Nation's role in southeast Asia.

I commend the Junior Historian Club of Woodrow Wilson High School for its activities in this sphere, and for the breadth of vision shown by initiating this correspondence, and I particularly congratulate Nicky Joe Rahall, Cheryl Toombs, Mike Griffith, and Peggy McGowan for their forthright and articulate patriotic expressions. It is interesting to note that Nicky Joe Rahall won top honor in the 1965 "Voice of Democracy" contest in Raleigh County and went on to compete for the district title. He is an example of the worthwhile young people coming to maturity in my State. The son of a prominent Beckley, W. Va., businessman, he is also the grandson of an immigrant from Lebanon who over 50 years ago peddled merchandise over the hills and among the coal-mining community in the Beckley area of West Virginia and who, in later years, made significant contributions to the community life of the region.

I ask unanimous consent to have the letters, as published by the newspaper, printed in the RECORD.

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

[From the Beckley (W. Va.) Raleigh Register, Nov. 7, 1965]

BECKLEY, W. VA.,
November 1963.

DEAR SOLDIERS IN VIETNAM: The members of our club, as citizens of the great country you are fighting for, wish to thank you for all you are doing for us in Vietnam.

Our country was established by people who were deeply concerned that the rights of men should not be violated. The United States has always stood for these rights. This Nation has waged great wars to protect our own people and people of other nations from despotic rulers. Is this country to change its policy now?

No, now more than ever before, the United States is needed to combat communism and preserve the American tradition. Now, more than ever before, the individual soldier is important in defending this tradition which millions in years past have lived and died to defend. Mere numbers of troops cannot win this war, only the determination of every man to do his duty.

We are concerned about every American soldier in Vietnam. Through newspapers and television we see the kind of life you must live. We hope that through this short message we can show just a small amount of appreciation for the work you must do. We also wish that each and every American would express to you the thankfulness we feel as you defend our homes, families, and countries on the other side of the world.

Again thank you. May God grant to you a safe and speedy return to America.

JUNIOR HISTORIAN CLUB,
Woodrow Wilson High School.

The Junior Historian Club of Woodrow Wilson High School has gone on record as supporting the U.S. role in Vietnam in contrast with many extremist youths throughout the country who are staging organized protest.

The junior historians state their policy in the above letter.

A series of four articles written by junior historians on the war will appear in this week's Register.

[From the Beckley (W. Va.) Raleigh Register, Nov. 8, 1965]

DEAR VIETNAM SOLDIER

(EDITOR'S NOTE.—This is the first of a series of four letters supporting America's role in Vietnam. The articles are written by members of the Junior Historian Club at Woodrow Wilson High School.)

TO AMERICAN MEN IN VIETNAM: OUR prayers are with you and our praise is for you. America stands tall because of your courage.

As you probably know there have been demonstrations here in the United States against the American policy in Vietnam and against our very presence in Asia. Please rest assured that this is a minority movement, the work of what you might call "extremists," who you will probably find have been against everything that is done by the United States.

These groups, in my opinion, are uneducated as to why we are fighting in Vietnam and they do not realize that the future of the United States is indirectly involved. They should realize that the failure or withdrawal of American troops would be disastrous for democracy and help establish a larger Communist foothold in the world with the next step coming down on the United States directly.

When my military career approaches, as it soon will, I would not hesitate to fight in Vietnam for my country.

Most of the American hearts are with you in Vietnam.

Men, thanks for doing your best, and I hope you can feel the support of the American people behind you. We want to see you in the near future living here in the United States and enjoying the fruits of your labor. Upon you, our men in Vietnam, rests the destiny of the United States of America.

Sincerely,

NICKY JOE RAHALL.

[From the Beckley (W. Va..) Raleigh Register, Nov. 9, 1965]

DEAR VIETNAM SOLDIER

(EDITOR'S NOTE.—This is the second in a series of letters written by members of the Junior Historians Club of Woodrow Wilson High School to servicemen in Vietnam.)

TO OUR BRAVE FIGHTING MEN: Your purpose in Vietnam, your being in that strange country, is one of today's most honorable duties; you are protecting the freedom of the entire world, as well as that of your own country. Without you, communism would take over and then spread like a horrible plague all over the world. You are guarding our very lives as freemen, and yet some condemn you for it.

I wonder if they ever really thought about what living under a tyrannical government such as that of Russia would mean. Do they realize that, without our boys in Vietnam, Russia's communism would sweep over America, and future generations would be brought up knowing freedom no more—except as something that existed long ago?

This letter is to let you know that I, for one, am very grateful that you are there to insure freedom, and highly commend you for your part in the preservation of democracy for mankind.

Sincerely,

Miss CHERYL TOOMBS.

[From the Beckley (W. Va..) Raleigh Register, Nov. 10, 1965]

DEAR VIETNAM SOLDIER

TO OUR BOYS IN VIETNAM: Our efforts in Vietnam have recently been questioned by an organized protest from some of the students in the United States. These groups have been proven to be a minority group. The predominate feeling, however, is backing fullheartedly the administration's present policy in Vietnam.

We realize that we have to stop Communist oppression now, for the consequences for delaying our actions against these aggressors will be much worse than our casualties now.

We owe a great deal of gratitude to you who are defending our principles in Vietnam. The United States was founded and has survived because of our determination to preserve democracy. Only by this same determination can the United States survive in the future. Your supreme effort in Vietnam could possibly be rewarded by the establishment of a free and peaceful world with no fear of aggression.

Sincerely,

MIKE GRIFFITH.

[From the Beckley (W. Va.) Raleigh Register, Nov. 12, 1965]

DEAR VIETNAM SOLDIER

(EDITOR'S NOTE.—This is the last of four letters, written by members of the Woodrow Wilson Junior Historian Club, dedicated to fighting men in Vietnam.)

DEAR SOLDIERS: Keep fighting. The heavy burden of preserving our democracy falls on your shoulders. In your hands, you hold the weapons to destroy the communism that is slowly devouring our democracy. We have spoken our policies. Now, we must fight for them.

It was nearly two centuries ago when this country was established. The world has since wondered how long a democracy can exist? Is it strong enough to back its policies by force?

Up to this time, America has stunned the world. She is a living example of a democracy, surviving in a world of communism.

Today, however, we face entirely new conditions. Western Europe has recovered its economic strength and military potential. Russia commands a vast war machine with a full nuclear arsenal. Can our country stand up to these powers?

America is not an imperialistic nation. Her aim is to defend the rights of people in Vietnam and to stop the spread of communism.

Many Americans are against our policy in Vietnam. They burn their draft cards, and many go as far as to burn themselves. What purpose does this accomplish?

Meanwhile in Vietnam, soliders trudge through the hot sun for 21 cents an hour. They face such problems as hunger, leeches, disease and bullets. These men really stand for something. They make me proud to be an American.

Thank you, soldiers, for your outstanding example and the great courage you have displayed in Vietnam. May God bless you and bring you safely home to our beloved America.

A loyal West Virginian,

PEGGY MCGOWAN.

RETIREMENT OF DR. HUGH ELSBREE

Mr. BYRD of West Virginia. Mr. President, it was with regret that I learned that Hugh L. Elsbree, Director of the Legislative Reference Service in the Library of Congress, will retire from that position in February.

Dr. Elsbree has served the Federal Government with distinction for more than 21 years—19 of them in the Library of Congress and the last 7 of them in his present position. A political scientist of wide repute and a dedicated public official, Dr. Elsbree has earned the respect and the confidence of the Congress through his skillful and competent leadership of the Legislative Reference Service in a period when Congress has experienced its greatest need for research assistance.

L. Quincy Mumford, Librarian of Congress, in announcing Dr. Elsbree's forthcoming retirement, paid tribute to the standards of excellence that Dr. Elsbree has set for the analytical studies and reports produced for Congress.

Dr. Elsbree came to the Library in 1945 as research counsel in the Legislative Reference Service. He was already splendidly equipped to take on the responsible task of providing consultative assistance to Members of the Congress. A graduate of Harvard University, where he received his B.A., M.A., and Ph. D. degrees in political science, he was also a Sheldon traveling fellow in Paris and Geneva. He joined the Harvard faculty in 1928 and taught government there until 1933.

In 1931 the Harvard University Press published his study, "Interstate Transmission of Electric Power," and in 1934 he had his first experience in public service, acting for several months as a research specialist for the Federal Power Commission. From 1933 until 1943 he was on the faculty of Dartmouth College, holding the position of chairman of the political science department from 1937 to 1941. He became a war service employee in 1943, serving as principal business economist at the Office of Price Administration until 1945, when he joined the staff of the Bureau of the Budget as administrative analyst. In November of that year he went to the Legislative Reference Service of the Library of Congress.

In 1946, Dr. Elsbree was promoted to senior specialist in American government and public administration, the highest research position in that subject in the Legislative Reference Service, a position, incidentally, created by the Legislative Reorganization Act of 1946 to provide Congress with the highest level of staff assistance. His expert analyses, his thorough background briefings, his penetrating studies of legislative issues, especially in the fields of governmental reorganization and executive-legislative relations, were models of professional staff competence. His work was so highly regarded that several congressional committees sought to borrow him for extended periods. In 1951–52 Dr. Elsbree served as Acting Assistant Director of the Service.

In 1954 the newly created Commission on Intergovernmental Relations—the well-known "Kestnbaum Commission"—pressed the Library for his services and he was released on loan. As its deputy research director, Dr. Elsbree provided unusual skill and leadership for the Commission's complex task, and he was highly praised for his role in the successful conclusion of the study. When he returned to the Library in October 1955, he was appointed Deputy Director of the Legislative Reference Service. He left the Service for a brief period in 1957 to accept the chairmanship of the political science department at Wayne State University. In 1958 he came back to the Library to be Director of the Legislative Reference Service, and he has served in that capacity since that time.

Dr. Elsbree has shaped and reshaped the Legislative Reference Service to meet Congress always changing and, it seems, ever-enlarging needs. A recent

example of this administrative sensitivity has been demonstrated when Dr. Elsbree advocated and the Library obtained congressional authorization to establish a Science Policy Research Division within the Service. This is now providing assistance in the fields of science and public policy, fields of intense governmental involvement where choices involving billions of Federal dollars are made each session.

Under Dr. Elsbree's guidance, the work of the Service has had a profound, although usually unpublicized, effect on the legislation enacted by the Congress. The Legislative Reference Service researcher provides much basic information and many analyses which clarify the problems and the issues, pinpoint the strengths or weaknesses of proposed solutions, evaluate the alternatives, and assist in many other ways in facilitating the legislative process. If the work of the researcher for Congress is normally confidential, it is nevertheless real and substantial, and the many commendations which Dr. Elsbree and his able staff have received from Members and committees of Congress attest to it.

Fortunately for us in the Congress and for the Library, Lester S. Jayson, who has served as Dr. Elsbree's deputy for 4 years and who came to the Library as chief of Legislative Reference Service's American Law Division from the U.S. Department of Justice where he had served in various capacities for 10 years, has been appointed as director of the Service. I am confident that he will carry on the traditions of the Service.

I know that my colleagues in the Congress wish Dr. Elsbree well as he retires and want to thank him for his selfless and dedicated service to this body. It is my information that January 27 will be his last day of active duty.

MR. GEORGE J. TITLER—NEW UMWA VICE PRESIDENT

Mr. BYRD of West Virginia. Mr. President, the United Mine Workers of America has just chosen as its new vice president Mr. George J. Titler of Beckley, W. Va., a man who, in the truest sense of the statement, "came up through the ranks." From the days when he labored as a coal miner, following World War I, in the State of Iowa, on through the years in which he subsequently served as head of UMWA District 29 at Beckley, he has been a dedicated advocate of measures to protect and advance the interests of our Nation's coal miners.

He is well known for his acts of humanitarianism and generosity, such as personally providing a year of financial assistance for various college freshmen.

The Beckley, W. Va., Post Herald and Register on January 16 reported the appointment of Mr. Titler as UMWA vice president, and I request unanimous consent to have this newspaper article printed in the RECORD.

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

WASHINGTON.—George J. Titler, of Beckley, W. Va., was chosen Saturday as the new vice president of the United Mine Workers Union.

The $40,000-a-year job in the past has been a steppingstone to the presidency of the independent union, now held by W. A. (Tony) Boyle.

Titler, 70, at present is head of UMW District 29, at Beckley.

His selection as vice president was by unanimous approval of the executive board, a UMW spokesman said.

The board had been considering the selection of a vice president for the past week. The post became vacant with the retirement of Raymond O. Lewis, brother of former UMW President John L. Lewis.

Titler, a native of Pennsylvania, served in World War I. After that he worked in the coal mines of Iowa for 15 years. In 1937 he was sent by the UMW to Harlan County, Ky., where he was head of an organizing drive which ended in 1941. He transferred that year to West Virginia where he has lived ever since.

Others in the running were Joe Yablonski, president of district 5 in western Pennsylvania; Harrison Combs, assistant director of the union's legal department; and John M. Kmetz of Nanticoke, Pa., director of the union.

Titler became president of district 29 in 1942.

Although considered the dark horse candidate this year, Titler is no stranger to the political wars of the UMW.

In 1947 he was mentioned as a possible successor to John O'Leary, UMW vice president, who died of a heart attack. And in 1953 he was named by Coal Age magazine as one of the five strongest contenders to take the chair of UMW President John L. Lewis.

Since his election as secretary-treasurer of district 17 of the UMW in 1942, Titler has been a controversial figure.

He was noted as vehemently opposed to the Taft-Hartley bill, which, he charged, was written to destroy the union.

In 1946 he lashed out at the Fayette County political "machine," charging that it would never carry a coal miner on its ticket, except for an occasional candidate for the house of delegates.

In 1947 he spoke out against a plan to cut miners' overtime pay to 96 cents an hour. He labeled the proposal "a screwy idea."

Yet the coal official also was viewed as a man who could lend support, shown during World War II when he urged unity between miners and operators, with high wages for miners, so more defense bonds could be purchased to aid in the national crisis. And during late Gov. William Marland's administration Titler supported the chief executive's proposed severance tax on West Virginia coal.

WEST VIRGINIA POSTMASTER HONORED

Mr. BYRD of West Virginia. Mr. President, on Thursday, January 20, Postmaster General Lawrence F. O'Brien will present special merit citations to 14 postmasters in the United States who have significantly improved the exterior and grounds of their post office buildings as part of President Lyndon B. Johnson's natural beauty program. The award presentation will take place in the Postmaster General's reception room in Washington, D.C.

Among the postmasters to be so honored is Mr. James Dinsmoore of St. Marys, W. Va., who has been postmaster of the second-class post office there since 1956. His work in improving the grounds surrounding the postal facility, at no cost to the Federal Government, has been recognized by the Post Office Department. As Postmaster General O'Brien said in announcing the award:

> Post offices across the Nation are becoming leaders in President Johnson's natural beauty program. Postmasters, local postal employee groups, flower and garden clubs, and individual citizens are all cooperating in the project. The post offices have become local showplaces.

I am pleased that Postmaster James Dinsmoore is to receive a merit citation for participation in this program, and I am sure that the St. Marys post office is a true source of civic pride for the citizens of that community and surrounding area.

WILD RIVERS ACT

The Senate resumed the consideration of the bill (S. 1446) to reserve certain public lands for a National Wild Rivers System, to provide a procedure for adding additional public lands and other lands to the system, and for other purposes.

Mr. LAUSCHE. Mr. President, earlier this afternoon I sent to the desk an amendment contemplating the incorporation into the pending bill, for study as prospective inclusion in the final draft of the bill, two rivers in Ohio. They are the Little Miami River and the Little Beaver River.

Up to this time these two rivers have not been despoiled of their natural richness by the invasion by human beings. They are still substantially in their pristine condition. The streams are clear streams. Their borders are lined with trees in great abundance. This natural beauty should be protected against future spoliation. The rivers should be protected from the contamination that results from the invasion by industry and an increasing population.

One of these rivers, the Little Miami River, runs through Clark County of which Springfield is the county seat; through Greene County, of which Xenia is the county seat; through Warren County, of which Lebanon is the county seat; and through Clermont County, of which Batavia is the county seat. It begins in the vicinity of Clifton, Ohio, in Montgomery County.

The Little Beaver River, with its north and middle forks in Columbiana County, runs from a point in the vicinity of Negly and Elkton, Ohio, downstream to a point in the vicinity of East Liverpool, Ohio, where it runs into the Ohio River.

In my judgment these rivers should be included in the bill.

The rivers are rich in gorges. Although from a comparative standpoint the gorges are small, as one enters the area, one feels that he is in some remote region still possessed of its pristine natural beauty.

I believe that these streams should be included in the bill. I therefore call up my amendment for consideration at this time.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 17 in the committee amendment between

lines 22 and 23, it is proposed to insert the following:

(12) Little Miami, Ohio—the segment of the Little Miami River in Clark, Greene, Warren, and Clermont Counties from a point in the vicinity of Clifton, Ohio, downstream to a point in the vicinity of Morrow, Ohio.

(13) Little Beaver, Ohio—the segment of the north and middle forks of the Little Beaver River, in Columbiana County, from a point in the vicinity of Negly and Elkton, Ohio, downstream to a point in the vicinity of East Liverpool, Ohio.

Mr. CHURCH. Mr. President, in the light of what the distinguished Senator from Ohio has said about the two rivers in Ohio, they would seem to fall within the description of rivers which further study might well disclose are qualified for inclusion in the Wild Rivers System.

Therefore, I am happy to accept the amendment, to add these two streams to the list of rivers that will be considered within the study category of the bill.

Mr. LAUSCHE. Mr. President, the purpose of the amendment is to have a study made, to determine whether these rivers possess the characteristics which would qualify them for inclusion in the bill.

Mr. CHURCH. I commend the Senator from Ohio.

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

Mr. CHURCH. I yield.

Mr. MORSE. I wish to be sure that I understand what the Senator from Ohio is proposing. The Senator from Ohio would add two rivers in Ohio to the bill, to be included in the study section of the bill. Is that correct?

Mr. LAUSCHE. The Senator is correct.

Mr. MORSE. I have no objection to adding any rivers to the study section.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Ohio [Mr. LAUSCHE] to the committee amendment.

The amendment to the amendment was agreed to.

Mr. JORDAN of Idaho. Mr. President, I send an amendment to the desk and ask to have it read.

The PRESIDING OFFICER. The amendment to the committee amendment will be stated.

The LEGISLATIVE CLERK. On page 28, line 12, in the committee amendment, beginning after the semicolon, strike all language down through line 18 and insert in lieu thereof the following:

Projected, national, regional, or local demand for additional electrical generating capacity, particularly as related to existence or possibility of declarations of national emergency; and Federal or State legislative changes which affect the financing of river or reclamation development projects, including basin account authorizations relative to any basin in which wild rivers are designated. The National Wild Rivers Review Board is authorized and directed to conduct continuing comparative studies which would measure the balance of benefits and detriments of each wild river to the State in which it is located, and to report to Congress, as appropriate, recommendations to assure that, wherever it is found that the reclamation of arid land would better serve the public interest of such State, the same shall not be prejudiced by the wild rivers status of any stream.

Mr. JORDAN of Idaho. Mr. President, this is a simple amendment, which would add one sentence to the bill. However, before I discuss the amendment, I should like to pay my very best compliments to my colleague [Mr. CHURCH] for his diligence and skill in handling the proposed legislation in the committee, and also for his patience and willingness to hold hearings in the State of Idaho. I commend my colleagues of the minority whose combined efforts and constructive amendments have made this a much improved bill.

Also I commend the chairman of the committee, the Senator from Washinging [Mr. JACKSON], for his fine cooperation in the thorough discussion and airing of our differences of opinion in the Committee on Interior and Insular Affairs. What differences we have had are not differences of purpose, not differences of goal, they are merely differences of procedure.

The amendment which I offer today would expand the authority of the National Wild Rivers Review Board to conduct continuing comparative studies with particular attention to the benefits or the detriments of each wild river to the State in which it is located and to report to Congress as appropriate recommendations to assure that wherever it is found that the reclamation of arid land would better serve the public interest of such State, the same shall not be prejudiced by the wild river status of any stream.

By way of background, let me explain why this amendment is essential.

Two of the wild rivers, Idaho's Salmon and Clearwater, are in section 3(a) of the bill which makes them "instant" wild rivers upon the passage of this bill and its approval by the President.

In committee, I sought unsuccessfully to have these two rivers transferred to section 3(b) of the bill, in order to provide time for further study, while still maintaining these rivers in a free-flowing condition. The amendment I offer today asks only that any river, once committed to the National Wild Rivers System, shall be subject to continuing comparative study by the review board to insure that no State shall be required to make unwarranted economic sacrifices in order to accommodate a national purpose, however deisrable that national purpose may be.

In Idaho, we have a double loyalty in our great love for our vast forests, mountain meadows, open ranges, lakes, and streams. We are determined to protect our great wild life and recreation resources and we are equally determined to utilize the natural resources of these areas to help us grow and develop fully our industrial and agricultural potential. I believe that these objectives are not incompatible.

Sixty-nine million acre feet of water flows out of Idaho. Of this amount, about one-half originates in Idaho's own watersheds. Putting major segments of the Clearwater and Salmon Rivers in the Wild Rivers System will require about 50 percent of this water that originates on Idaho's watersheds to preserve the free-flowing status of these rivers for a national purpose.

We in Idaho agree that our two rivers do have wild characteristics in abundance. We are not unmindful of the need to preserve these values through a program that will guarantee America her heritage of unspoiled, unpolluted, free-flowing rivers. We know, too, that two-thirds of the State of Idaho is federally owned, and that of all the States in the Union, Idaho has the largest area set aside for a single purpose, the wilderness, in the National Wilderness System.

Perhaps no other State has as many persons who know firsthand the thrill of stalking big game in a wilderness area, taking the wily trout from a clear mountain stream, or just enjoying the exhilarating experience of life in the great outdoors. Idahoans are pleased to preserve areas so that they may share these benefits of nature with those of other areas and future generations who have an appreciation of wilderness, forests, and streams.

Idaho boasts of its 1,000 lakes and 30,000 miles of fishing streams. I am pleased that Idaho can contribute for the Nation to share so much in wild beauty, spawning grounds, wildlife and recreation areas, but frankly I believe that someplace in this whole picture there should be a measure of reciprocity. Other States with rivers that might also add to the wild rivers system will more freely do so if some thought of just compensation for the economic loss or dislocation is provided for in the measure now before the Senate.

Some of the points raised in the minority report on this measure clearly outline the problem I am concerned with in this measure. I quote from portions of that report which outline the problem:

We agree with the concept that certain of our Nation's great scenic rivers should be preserved in their free-flowing condition. We agree that such rivers should be set aside to promote sound water conservation and the public use and enjoyment of the scenic, fish, wildlife, and outdoor recreation values. We agree that "the policy of the Congress to preserve, develop, reclaim, and make accessible for the benefit of all the people selected parts of the Nation's free-flowing rivers" is a commendable objective. This is a highly praiseworthy use of America's dwindling resources to meet the ever-increasing demand of our pleasure-seeking population and has its rightful place in the overall plan of national outdoor recreation.

A river or rivers should not be included in the wild river system if such inclusion would seriously disrupt the present or potential higher beneficial use of the river or the economy of the area through which the river flows or which it serves. No river should be set aside in perpetuity from future harnessing to supply water for our cities, for agriculture, for flood control, to generate hydroelectric power, or to aid navigation without careful and thorough study to determine whether it is feasible and desirable in the public interest. Review should be made of all comprehensive river basin plans, and potential alternative uses of the water and related land resources involved must be evaluated.

Section 3(b) and following, of S. 1446, provide the procedure whereby certain designated and new rivers may be added to the wild river system. Such additions are subjected to a more thorough study and evaluation at all levels of government and by any

and all agencies which may profess an interest. This is not so with respect to those rivers designated in section 3(a). The rivers listed in section 3(a) become "instant" wild rivers upon the signing of the legislation, notwithstanding the fact that such rivers may be part of a comprehensive river basin plan, or subject to future study under State or Federal laws.

The economic effect of an abrupt change for the Salmon and Clearwater from the plan adopted in House Document 531 is a subject of great concern. A Columbia Basin account does not exist. Thus the full economic shock of this change from full development to free-flowing status will be borne by Idaho alone. This is unwarranted, unnecessary and inequitable. Idaho's greatest resource is water—it has no fossil fuels. To deprive one State of the right to evaluate the economic potential of two great rivers with a combined value equal to that of a fully developed Grand Coulee with its million-acre reclamation project or the equivalent of a fully developed Colorado River is the greatest inequity in this bill.

This present bill creates a national wild rivers system. But there is no language in the bill that would provide even partial compensation to a State for economic losses resulting from a change of plans from full development to free-flowing status of its rivers. Surely it is not intended to penalize one State excessively.

In his letter to the President of the Senate endorsing the National Wild Rivers System, Secretary of the Interior Stewart L. Udall had this to say:

The President, in his state of the Union message of January 4, 1965, called attention to the need to protect the beauty of America, which he noted has sustained our spirit and enlarged our vision for more than three centuries.

He expressed the hope that some of the unspoiled stretches of our waterways will be preserved under a wild rivers bill. There is a need to act now to protect this part of our heritage.

In his February 8 message on natural beauty the President recommended the establishment of a national wild rivers system. The enactment of the draft bill enclosed with this letter will carry out that recommendation. The bill is designed to preserve, reclaim, and make available for the benefit of all the American people specifically chosen segments of the Nation's diminishing resources of free-flowing rivers.

While river flows have been harnessed to aid navigation, control floods, increase farm productivity, and hydroelectric power, too little attention has been given to the importance of protecting the very water we drink and the values of fish and wildlife, scenic, and outdoor recreation resources. These values, although often measureless in commercial terms, should be preserved by a program that will guarantee America her heritage of unspoiled, unpolluted, free-flowing rivers. Our belief is shared by a wide range of public and private authorities, and the time to act is now, before it is too late.

These remarks of Secretary Udall outline a truly worthy national goal, with which I am in full accord.

So, I repeat that I do not disagree in principle with the purpose and objectives of a National Wild Rivers System. I repeat also from the language of the minority views that no provision is made to compensate a State for economic losses resulting in a change of plans from full development of its rivers to less than full development in order to provide free-flowing wild rivers "for the benefit of all the American people."

I believe that the Wild Rivers bill, S. 1446, should be amended to correct what obviously might be an unreasonable diminution of a State's natural resource potential for a single national purpose, natural free-flowing streams.

Idaho's 3 million acres of irrigated land can be increased 50 percent or more provided a "paying partner" is available to share the cost. That "paying partner" is power revenues. In effect, the output of the watersheds becomes the cash box for further reclamation. To change a plan of development thus conceived could prevent the reclamation of arid lands.

What could be so unfair in recognizing the need to compensate a State if certain of its resources are taken for all the people of the Nation—resources, which under alternate development, would enrich the economy of the State concerned?

S. 1446 provides for a review board consisting of the Secretary of the Interior, who shall be its chairman, the Secretary of Agriculture, Secretary of the Army, the Chairman of the Federal Power Commission, and the Governors of the several States.

The purpose of this board is to consider the change of circumstances of the status of any river included within the National Wild Rivers System and to report to each Congress any significant changes that might call for legislative action.

The duties of this review board could be expanded to include making a determination of losses to a State arising from inclusion of a river or rivers in the National Wild Rivers System for the benefit of all the people. Restitution could be provided for such water development assistance as the preempted resources might have made to the State's economy under an alternate plan of development.

Future reclamation in Idaho depends on developing a reliable paying partner to supplement user payments. States must look to the output of their own watershed for this source. This is their entitlement—their resource heritage.

This bill has stirred many mixed feelings in Idaho. At times debate became acrimonious. But the debate has been productive. Many misunderstandings on the measure and various points of view have been dispelled. These discussions, as I have stated earlier, have resulted in many improvements in the measure. I hope those who have criticized me for delaying the bill, or worse, will now see that I seek only improvements that will allow everyone an opportunity to unite behind a wild rivers measure. I seek a bill that will enable us to preserve large segments of our Nation's rivers with provision to assure that one State alone will not have to pay the potential economic losses that might become evident in the future because 50 percent of the water that originates on its watershed is committed to preserving two great and beautiful rivers to their natural free-flowing state. My amendment is essential to this bill, and I hope the Senator in charge of the bill will consider it favorably.

Mr. CHURCH. Mr. President, let me say, at the outset, that although the Senator from Idaho [Mr. JORDAN] and I have had our differences on this bill, we have sought to adjust them in a reasonable way. I have always appreciated the gentlemanly manner of my colleague in his dealings with me on all issues which relate to Idaho.

Section 6 of the bill resulted from the committee's adoption of an amendment that Senator JORDAN and I cosponsored to establish a National Wild Rivers Review Board.

The pending amendment would perfect the original effort by expressly including within the responsibilities of the National Wild Rivers Review Board the duty of making a continuing review of rivers within the system to make certain that changing developments do not result in unduly prejudicing the economic development of a State within which a wild river might lie.

I ask the Senator if it is not true that the new language to be added consists of a single sentence?

Mr. JORDAN of Idaho. That is correct.

Mr. CHURCH. For the RECORD, I shall read the new language.

Mr. JORDAN of Idaho. It is only one sentence.

Mr. CHURCH. Yes. The new language reads as follows:

The National Wild Rivers Review Board is authorized and directed to conduct continuing comparative studies which would measure the balance of benefits and detriments of each wild river to the State in which it is located, and to report to Congress, as appropriate, recommendations to assure that, wherever it is found that the reclamation of arid land would better serve the public interest of such State, the same shall not be prejudiced by the wild rivers status of any stream.

This is the language which would be added if the Senate were to adopt the amendment. Is that correct?

Mr. JORDAN of Idaho. That is the only new language in the amendment.

Mr. CHURCH. I have worked with Senator JORDAN in trying to find suitable language that would cover the responsibilities that such a review board ought to have anyway, making it clear that if the Board were to find in the future, for example, that the public interest of Idaho would best be served by new reclamation in the southern part of the State and that such reclamation depended on financial help that could come only through construction of dams on the Salmon or Clearwater in northern Idaho, it would be the duty of the Board to make recommendations to the Congress for such revision of the wild rivers system as would not prejudice future reclamation in southern Idaho. This is the intent of the language.

Mr. MORSE. Mr. President, will the Senator yield for the purpose of making a little legislative history?

Mr. CHURCH. I yield.

Mr. MORSE. The Senator from Idaho is the most important Senator on the floor with respect to making legislative history on this bill.

Am I to understand that if the review board provided for in section 6 of the

bill, which is a result of the amendment the Senator from Idaho offered in committee, should decide to conduct a study in regard to *x* river, by way of a review, and should find, as a result of the study, that some arid land should be developed for reclamation purposes in respect to the wisest use of water and land, this amendment would authorize the review board to make such a study and so recommend to the Congress if that is its finding?

Mr. CHURCH. The Senator is correct.

Mr. MORSE. Is the Senator from Oregon correct, however, that it would require legislative action by the Congress to authorize the construction of such reclamation project?

Mr. CHURCH. Yes. Congress would have to act upon the recommendation, making revision in the system which would permit the construction of dams in the situation the Senator has described.

Mr. MORSE. I believe that the next question I ask needs to be asked of the Senator from Idaho to make crystal clear in the RECORD what the effect of the statute would be if the bill should be passed in its present form, in regard to the authority of the Federal officials who will administer the implementation of the act.

The Senator from Oregon wants to know whether, if the bill is passed, it would have the effect of freezing the uses of land in the areas covered by the bill to their present use until Congress in the future authorizes other uses.

Mr. CHURCH. The answer to that question is no, if I understand the question correctly. The system, to begin with, consists of the river itself and bank land which is designated by reference to certain maps on deposit at the Department of Interior and the Department of Agriculture.

For the most part, this includes bank lands that extend back not more than 300 feet. The power of condemnation contained in the bill, with respect to which I know the Senator has reservations, is limited to acquisition of private holdings extending not more than 300 feet back from the riverbank.

As for the public land, land that may now be under the jurisdiction of the Forest Service or the Bureau of Land Management, the bill would not prohibit grazing or lumbering, or even mining.

All this may take place on the bank lands within the system, provided that such uses are conducted in a way that does not pollute the river, or obstruct the river, or otherwise interfere with the objectives of the bill.

The restrictions on the use of public land within the corridor through which the wild river runs are not in any way to be compared with the restrictions on use in, say, a wilderness area.

On the contrary, the bill expressly recognizes the multiple-use principle and seeks to make the administration of a wild river area conform as closely as possible to principles of ordinary administration that obtain in the national forests.

I would say only one other thing in response to the Senator. It is true that the bill contains a provision to allow for the acquisition of what are called scenic easements.

The reason for this provision is to protect the view from the river, and also to prevent a private landholder from subdividing a river bank or from establishing a hamburger or hotdog stand along the river front, or putting a wharf into the river in such a way as to destroy the natural character of the river. Therefore, the bill contains authority to acquire scenic easements. The definition of scenic easement is spelled out in the bill.

I invite the attention of the Senator to the exact language found on page 23 of the bill, beginning on line 2:

> As used in this Act the term "scenic easement" means the right to control the use of land (including the air space above such land) for the purpose of protecting the scenic view from the river for the purposes of this Act, but such control shall not affect any regular use exercised prior to the acquisition of the easement.

Our purpose is to interfere as little as possible with the private landholdings along the river banks. There is no reason whatever to interfere with the customary uses, pastoral uses, or farming uses; but unless we confer some right to protect against commercialization of the river, we have not established a wild river system worthy of the name.

This is the best answer I can give the Senator.

Mr. MORSE. The Senator has made a very clear statement. I hope that he will bear with me while I offer a hypothetical that I believe will give us a better chance of making the statement perfectly clear to those who may not be as familiar with the bill and the objectives the committee has in mind.

Let us take the hypothetical where, within the 300-foot corridor area, we have public land which at this time is used for pasture and grazing purposes under a grant of grazing rights to the Diamond D Ranch.

Would the bill, if passed, in any way affect the grazing rights of the Diamond D Ranch, in that the Secretary could come in and in effect condemn his rights and say, "We do not have to give him grazing rights; we want to use it for a playground area, picnic area, and strict recreational area"?

Mr. CHURCH. The best answer I can give is to be found in the bill itself, on page 24, beginning with line 6. The bill reads:

> (g) A wild river area shall be administered for the purposes of water conservation, scenic, fish, wildlife, and outdoor recreation values contributing to public enjoyment, but without limitation on other uses, including timber harvesting and livestock grazing, that do not substantially interfere with these purposes.

As the distinguished Senator from Oregon knows, present grazing in national forest lands or grazing on other Federal lands are privileges that are administered with the discretion of the Secretaries of Agriculture and Interior.

What we have attempted to do is not to change the practice with respect to the power of these Secretaries to regulate grazing on the public domain. Rather, we have tried to make it clear that this bill is to be administered, as far as possible, on a multiple-use principle, expressly providing that there should be continued grazing wherever, within the system, it does not substantially interfere with the river.

I cannot envision a case in which grazing would interfere, because, like other pastural uses, grazing is not contradictory to the objectives of the bill.

Mr. MORSE. The Senator from Oregon will submit another hypothetical. Along this corridor X owns a farm, farm buildings, and house, all stretched out along the bank of the stream. The evidence shows that there is no pollution, no interference in any way with the stream; that there is some recreational use along the stream; and that all the people who live along the stream participate in boating and private fishing with their own small, private fishing boats, maintaining a dock down into a stream.

If the bill were passed, would it give the Secretary authority to condemn that farm? And by doing so, would we have decided to do away with the farm and set up a type of recreation project in the area now occupied by the farm?

Mr. CHURCH. The condemnation powers in the bill are limited. In some cases, where there is an abundance of public land—that is to say, where 75 percent or more of the land is publicly owned—the bill does not provide for any condemnation of fee title that would permit the Government to forcibly acquire private holdings. The reason why the committee adopted this formula was that it seemed to us that wherever that much of the land within the corridor was publicly owned, there was ample space to provide for public access, for recreational facilities, or for camping grounds on the public domain. Therefore, there was no justification for conferring the power of condemnation for use against private landowners.

We might, of course, have adopted a different formula or a different percentage. But I wanted the Senator from Oregon to understand the reasoning behind the adoption of this formula. Where a lesser amount of the land within the corridor is publicly owned, the committee could see situations in which it might be necessary to acquire some private land in order to insure adequate public access and the necessary public recreational facilities. In such cases, the bill would permit condemnation limited to an area extending no more than 300 feet back from the river bank. There is no limitation, however, upon condemnation for purposes of scenic easements, except that wherever this power is used, the bill limits the distance to a quarter of a mile, or 1,320 feet back from the bank, to protect the view from the river.

That is the clearest exposition I can give of the treatment of condemnation in the bill. It is the best answer I can furnish in response to the Senator's question.

Mr. MORSE. I thank the Senator from Idaho.

Mr. KUCHEL. Mr. President, as the Senate is about to adopt this amendment, I wish to pay tribute, not merely to this contribution today on the part of the distinguished junior Senator from Idaho [Mr. JORDAN], but also to those excellent recommendations which in great part he fashioned in our committee, as phrase by phrase, sentence by sentence, and paragraph by paragraph we were able to find, to use a word that is bandied about today, a consensus, in which the Republican minority, in my judgment, acquitted itself with great devotion to the public trust.

In this case, when the Senate is about to accept one more recommendation, I wish to congratulate the distinguished Senator from Idaho on presenting, in the legislative process, the amendment which is before us today. I am sure that the able Senator in charge of the bill, the senior Senator from Idaho, will agree, that this amendment makes the bill a far better piece of legislation by reason of our action upon it.

Mr. CHURCH. I do, indeed. I join wholeheartedly in the fine sentiments that have been expressed by the distinguished Senator from California [Mr. KUCHEL].

Mr. SIMPSON. Mr. President——

Mr. KUCHEL. Mr. President, may we have the Senate act on this amendment prior to the presentation of the next amendment?

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Idaho [Mr. JORDAN] to the committee amendment.

The amendment to the amendment was agreed to.

Mr. KUCHEL. Mr. President, I turn to page 13 of the bill and read a portion of the statement of policy:

SEC. 2. (a) The Congress finds that some of the free-flowing rivers of the United States possess unique water conservation, scenic, fish, wildlife, and outdoor recreation values of present and potential benefit to the American people. The Congress also finds that our established national policy of dam and other construction at appropriate sections of the rivers of the United States needs to be complemented by a policy that would preserve other selected rivers or sections thereof in their free-flowing condition to protect the water quality of such rivers and to fulfill other vital national conservation purposes. It is the policy of Congress to preserve, develop, reclaim, and make accessible for the benefit of all of the American people selected parts of the Nation's diminishing resource of free-flowing rivers.

I believe that that represents a statement of policy with which no Senator could disagree. Specifically, if I may refer briefly to the views of the minority members of the Committee on Interior and Insular Affairs, I read in part from those views:

We agree with the concept that certain of our Nation's great scenic rivers should be preserved in their free-flowing condition. We agree that such rivers should be set aside to promote sound water conservation and the public use and enjoyment of the scenic, fish, wildlife, and outdoor recreation values. We agree that "the policy of the Congress to preserve, develop, reclaim, and make accessible for the benefit of all the people selected parts of the Nation's free-flowing rivers" is a commendable objective. This is a highly praiseworthy use of America's dwindling resources to meet the ever-increasing demand of our pleasure-seeking population and has its rightful place in the overall plan of national outdoor recreation.

If I may be permitted to speak for the minority on this occasion, I wish to say that the members of the minority assiduously endeavored to remove from the verbiage of the bill those deeply felt apprehensions which could be allayed or swept aside only by changes in the language.

There has been in our country for many years a controversy between representatives of the Federal Government and of the States of the American Union with respect to water rights in streams, particularly, but not entirely, with respect to interstate streams. Some of us have joined in sponsoring legislation, again in this Congress, as well as in several prior Congresses, designed to set at rest much, if not all, of the needless controversy which from time to time, in our view, has impeded Congress in carrying out its function in this unique Government of ours, where there are two areas of sovereignty.

I shall turn particularly to section 5, because I think it is of vast importance to have it spread out on the RECORD. In a few minutes I shall offer an amendment. I read from page 26, subdivision (d) of the committee amendment to the bill as it is now before the Senate:

(d) The jurisdiction of the States and the United States over waters of any stream included in a wild river area shall be determined by established principles of law.

That does lay down, in enacting this legislation, if it is to be enacted, Congress' determination that established principles of water law shall govern the problems of the jurisdiction of the two systems.

I continue to read:

Under the provisions of this Act, any taking by the United States of a water right which is vested under either State or Federal law at the time such river is included in the Wild Rivers System shall entitle the owner thereof to just compensation.

I cannot overestimate the importance of that contribution to this legislation. In that connection, I salute the members of the minority, the distinguished senior Senator from Colorado [Mr. ALLOTT], the distinguished junior Senator from Idaho [Mr. JORDAN], the distinguished junior Senator from Wyoming [Mr. SIMPSON], and the distinguished junior Senator from Arizona [Mr. FANNIN], all of whom substantially contributed to improving this bill. This is not a partisan question at all. On many occasions, I have talked with my able friend the distinguished Senator in charge of the bill, and others on this continuing gnawing problem of the Federal-State jurisdiction in the water field.

The fact remains that we were able carefully, concisely, and specifically to provide that if there is a taking by the Federal Government of property which can be described as a vested water right, the Federal Government will pay for it. The bill recognizes that when one's property is taken from him by the Federal Government, he shall be compensated for it. That is rather different from the views on this subject which have been advanced at times by some in the executive branch.

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

Mr. KUCHEL. I yield.

Mr. CHURCH. Is it not correct that, with respect to the proposition that the Senator has just laid down; namely, that any Federal taking of a water right shall be fully compensated, it is a principle that is supported wholeheartedly by both the Democrats and the Republicans on the Committee on Interior and Insular Affairs?

Mr. KUCHEL. Indeed it is.

Mr. CHURCH. Certainly this is not a point of controversy between us.

Mr. KUCHEL. Indeed not, I regret to say, however, that whether the President of the United States is a member of the Democratic Party, the party of my able friend the Senator in charge of the bill, or a member of my party, the Republican Party, we shall still have individuals, as we do today, and as we had 13 years ago, in our executive branch who deny what the Senator and I have just agreed upon.

I continue to read:

Nothing in this Act shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from State water laws.

I believe that also constitutes a matter of considerable importance, if we consider that we will support this legislation, and I am very glad that it is made clear in the bill now before us.

I quote subsections (e) and (f):

(e) Nothing in this Act shall affect the jurisdiction or responsibilities of the States under other provisions of law with respect to fish and wildlife.

(f) Nothing contained in this Act shall be construed to alter, amend, repeal, construe, interpret, modify or be in conflict with any interstate compact made by any States which contain any portion of the National Wild Rivers.

That is a provision of inestimable importance because in the development of our country's future there will be a continuing, growing problem of a plentiful water supply for the needs of an ever-increasing American population. This is a matter on which many of us have satisfied our judgment in the approval of agreements made among the States in the form of compacts.

Here again, it is made abundantly clear and no attempt is made in this legislation, to bruise or modify those agreements.

During the discussion in committee, there were some other questions which were raised and dealt with by committee action. Some questions were raised, for example, as to whether if this legislation were enacted, it would have the effect of legally appropriating unappropriated water in a given State by the Federal Government. That is not so.

In order that there may be complete clarity about the legislative intent of this legislation, I send to the desk an amendment and ask that it be read and

made the pending business. I then intend to ask the able Senator in charge of the bill some questions concerning it.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. The Senator from California [Mr. KUCHEL] proposes an amendment as follows:

On page 27, line 9, in the committee amendment, add a new subsection as follows:

(l) The jurisdiction of the States over waters of any stream included in a wild river area shall be unaffected by this Act to the extent that such jurisdiction may be exercised without impairing the purposes of this Act or its administration.

Mr. KUCHEL. Mr. President, I have changed the word "objectives" to the word "purposes." I believe that the words "objectives" and "purposes" are substantially the same. However, I wanted to use the word "purposes" because that word is repeatedly used in the bill.

The amendment which I offer was arrived at in the previous session. So that the RECORD may be clear on this point, it has the approval of the Department of the Interior and the Senator in charge of the bill.

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

Mr. KUCHEL. I yield.

Mr. CHURCH. Mr President, I ask unanimous consent to have printed at this point in the RECORD a copy of the departmental letter pertaining to this amendment.

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

U.S. DEPARTMENT
OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C.

Hon. FRANK CHURCH,
Chairman, Subcommittee on Public Lands, Committee on Interior and Insular Affairs, U.S. Senate, Washington, D.C.

DEAR SENATOR CHURCH: You have inquired whether, in the event S. 1446 (the wild rivers bill) becomes law, the United States would be required to apply to State agencies for permits in order for a wild river to be maintained in its free-flowing condition as against subsequent appropriators. It is understood that the question arises in the light of the addition of proposed subsection (i) on page 27, after line 8, of Committee Print No. 3.

As you know, by our letter of September 24 to Mr. Ward, we advised that the Department has no objection to the addition of that proposed amendment.

We do not read the proposed subsection (l) as subjecting the United States to a requirement that it obtain a State permit for the maintenance of a stream or stretch of a stream established by the Congress as a wild river in the free-flowing condition contemplated thereby.

The maintenance of the flow of a stream without diversion, impoundment, or other depletion is probably not an "appropriation" or "use" as is contemplated by the laws of many of the Western States relating to the control, appropriation, use, or disposition of water. The maintenance of a free-flowing condition would appear to be more akin to a "riparian" right than to an "appropriative" right.

The foregoing is not to say that if the creation of a wild river results in the taking by the United States of a water right which is vested under State law, the owner thereof would not be entitled to compensation. On the contrary, subsection (d) of section 5 of Committee Print No. 3 would require compensation in that event, and, in that respect, subsection (d) is expressive of the same policy that is applicable under section 8 of the Reclamation Act of June 17, 1902. See *Gerlach Livestock* v. *United States*, 339 U.S. 725 (1950).

Sincerely yours,

MAX N. EDWARDS,
Assistant to the Secretary and Legislative Counsel.

Mr. KUCHEL. Mr. President, some questions were raised in the discussion in the committee as to whether the Federal Government would be given an alleged Federal right of appropriation under this bill, whether it would be given some type of Federal riparian right under this bill. The purpose of the bill is set forth expressly in the first section, which I have read.

That purpose is approved by the committee members, and I believe by Senators generally. However, because those questions were asked, a number of problems arose in our committee discussion.

I have a series of questions that I should now like to ask the Senator from Idaho in order to get his view with respect to making legislative history.

My first question is: With the adoption of sections 5(d), 5(h), and 5(i), is it now the understanding of the Senator that there has been no substantive change in the presently established principles of Federal and State water rights law?

Mr. CHURCH. The Senator is correct. The whole purpose of the language in the sections to which the Senator has referred—sections, incidentally, which include the amendment the Senator proposes as subsection (i) under section 5 of the bill—was to maintain the status quo with respect to the whole complicated structure of water law.

We have tried diligently to write language which would not embark us upon any new departure in the field of water law.

We seek to leave the law as it stands, to establish a wild rivers system which will not impair or alter or in any way change existing State or Federal laws concerning water rights.

Mr. KUCHEL. I thank the Senator. Is it the understanding of the Senator in charge of the bill that if there is any taking by the U.S. Government of a water right which is vested under State or Federal law at the time any river is included in a wild river area, the owner of such vested water right is entitled to just compensation from the Federal Government?

Mr. CHURCH. I believe there can be no question about that. The principle, in my judgment, would apply by reason of the force of the fifth amendment to the Constitution of the United States. However, beyond that, the bill expressly sets out that any taking by the United States of a water right which is vested under either Federal or State law at the time a river is included in a wild river area, entitles the owner of such vested water right to just compensation from the Federal Government.

This makes it perfectly clear that the congressional intent in this matter is consistent with our past practices, with the provisions of the Reclamation Act; and, as I say, in the judgment of the senior Senator from Idaho, with the requirements of the Constitution itself.

Mr. KUCHEL. I thank my able friend. The third question I have is this: Assuming that the bill is enacted into law and that a river or a segment of a river is made a part of the wild river system, is it correct to say that there will not be, under the terms and the intent of the bill, a reservation or appropriation of all of the unappropriated water of the river included in the system?

Mr. CHURCH. The Senator is correct. That fact is established in subsection (h) of section 5 of the committee amendment, which reads as follows:

(h) Designation of any stream or portion thereof shall not be construed as a reservation of the waters of such streams for purposes other than those specified in this Act, or in quantities greater than necessary to accomplish these purposes.

Mr. KUCHEL. I thank my friend. In other words, is it not true that authority is sought to be delegated to the executive branch of the Government to provide for free-flowing water in a given area, rather than to attempt to create any new or additional type of water rights on the part of the Federal Government?

Mr. CHURCH. This is a congressional declaration that the Federal Power Commission may not license dams on rivers which are included within the system; also, it is an affirmative statement by Congress that the purpose of the act is to maintain such rivers in their natural, free-flowing condition.

As the Senator knows, this is not an appropriation of water in the usual sense, because the appropriation of water under various State water laws ordinarily requires a diversion of the water and its placement to some consumptive beneficial use, which is recognized under the applicable State statutes.

Therefore, there is not contemplated the kind of appropriation that takes place under State water laws, under which water is diverted, in the first instance, and then put to the consumptive uses these laws prescribe. Rather, the bill contemplates maintaining the water in the natural bed of the streams within the system established by the proposed legislation, so that the river can be preserved in its pristine, free-flowing and natural state.

Mr. KUCHEL. Mr. President, I thank my friend. I join his colleague from Idaho in congratulating him on the excellent manner in which he has brought the bill to the floor of the Senate, with such changes as we believe the public interest warrants.

Mr. CHURCH. I thank the Senator from California. His amendment makes still clearer what was the intended purpose of the members of the committee, in trying to leave our water laws in status quo.

I am happy to accept the amendment of the Senator, and I urge the Senate to approve it.

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

Mr. CHURCH. I yield.

Mr. MORSE. I assume that it is clear now in the legislative history that has been made that the purpose of the amendment of the Senator from California, particularly with reference to the Federal Government is that no change is contemplated under the bill with respect to the water rights of the States. I believe that the Senator from California has made it clear that it seeks the preservation of the status quo.

So that there will be no possible basis for confusion, I ask this question of the Senator from California: Does the Senator from California seek to obtain for the States, in any fact situation, through his amendment, water rights which they do not now possess?

Mr. KUCHEL. No. I say to my friend that a number of us on both sides of the aisle, as my friend knows, introduced a bill last year dealing specifically with this subject.

I almost interrupted the Senator from Idaho to say that we shall await another day for disposal of that problem.

A simple answer to the Senator's question is: No; it does not.

Mr. MORSE. My next question is this: Does the Senator from California, through his amendment, intend in any degree whatever to estop the Federal Government from bringing to issue any controversy that the Federal Government may have with any State in respect to claims dealing with water rights as between a State and the Federal Government, which may be in conflict or in dispute?

Mr. KUCHEL. Not at all.

Mr. MORSE. I understand, then, that the Senator's amendment does not in any way propose any restriction upon either the Federal Government or a State government to pursue to juridical determination or, where it is in the administration of an administrative body, an administrative determination, the respective rights of the Federal Government and the States in connection with any contested issue. Is that correct?

Mr. KUCHEL. I agree with what the Senator has said. I would put it in this fashion: What is sought to be done is to create a wild rivers system, without attempting to legislate in the field of water law; to the contrary, to maintain the status quo as we believe it should be maintained.

Mr. MORSE. I thought that was what the Senator intended to do, but I wished to make it crystal clear in the RECORD that that is what he intends to do.

I also wish the legislative history to be perfectly clear that the Senator's amendment is not intended to serve as the basis, at any time, for an argument that the passage of the bill in effect would wash out the right of either the State or the Federal Government to press for a determination of the program for the difference of opinion between them as to the respective water rights of the State vis-a-vis the Government, or vice versa.

Mr. KUCHEL. In my opinion, the Senator from Oregon need have no apprehension on that score.

Mr. MORSE. I thank the Senator.

Mr. CHURCH. Mr. President, I believe that it might be well to read into the RECORD at this point the language of the committee on the question of water rights, which appears on page 5 of the report.

Under the caption "Water Rights," the committee report reads as follows:

> The language contained in subsection 5(d) is intended by the committee to preserve the status quo with respect to the law of water rights. No change is intended. The first sentence states that established principles of law will determine the Federal and State jurisdiction over the waters of a stream that is included in a wild river area. Those established principles of law are not modified. The third sentence states that with respect to possible exemption of the Federal Government from State water laws the act is neither a claim nor a denial of exemption. Any issue relating to exemption will be determined by established principles of law as provided in the first sentence. The second sentence would apply to this legislation the principle of compensation embraced by section 8 of the Reclamation Act of June 17, 1902 (32 Stat. 388, 390, found in 43 U.S.C. 383). This means that the Government must pay just compensation for a water right taken for wild river purposes if the water right is a vested property right under established principles of State or Federal law. See *U.S.* v. *Gerlach* (339 U.S. 725).
>
> Subsection 5(h) makes it clear that designation of a stream or its portion thereof is not to be considered a reservation of unappropriated waters other than for the purposes of this act—and in no greater quantities than are necessary for those purposes.

The Senator from California has added one further section which should remove any element of doubt on the question of water law, and I would therefore urge that the Senate adopt the amendment to the committee amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment to the committee amendment of the Senator from California.

The amendment to the committee amendment was agreed to.

AMENDMENT NO. 475

Mr. SIMPSON. Mr. President, I call up amendment No. 475 to the committee amendment, and ask that it be stated. It is short, and I should like to have it read.

The PRESIDING OFFICER. The amendment to the committee amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. Amendment 475 proposes that:

> (i) Other provisions of this Act notwithstanding, whenever either Secretary shall reserve any portion of the waters of a stream for the purposes of this Act he shall comply with the laws of the State with respect to water and water rights, and any rights perfected under the applicable State laws shall be subject to State law with respect to the allocation of waters in years of shortage.

Mr. SIMPSON. Mr. President, last Friday, the senior Senator from Colorado [Mr. ALLOTT] introduced an amendment to S. 1446, amendment No. 475, and discussed it at some length. His remarks can be found in the RECORD of January 14, on pages 245 and 246.

Simply stated, this amendment to the committee amendment would require the Federal Government to secure any water rights that it might need to carry out the purposes of the Wild Rivers System Act, under State law.

The Senator from Colorado has discussed a point which needs to be considered and which this bill, as presently drafted, does not anticipate. That is the case where the Federal Government preempts the State law and secures for wild river purposes more water than may be found in the river during some dry years.

What, then, happens to those holders of water rights above the designated wild river area? I believe, under the existing language, that they would be denied their earlier appropriated water rights and would suffer the consequences as a result of the Federal Government's desire to use the limited water for recreational purposes rather than for beneficial consumptive use.

The amendment to the committee amendment of the Senator from Colorado would protect those prior rights filed on lands above the designated area. I think it is a necessity, and urge the Senate to adopt our amendment to the committee amendment, No. 475.

Mr. DOMINICK. Mr. President, will the Senator from Wyoming yield?

Mr. SIMPSON. I am happy to yield to the Senator from Colorado.

Mr. DOMINICK. I thank the Senator from Wyoming and wish to say to him that I am a cosponsor of the amendment. I discussed it with my colleague, Mr. ALLOTT, who, unfortunately, is unable to be in the Chamber today. I have also discussed it with the Senator from Wyoming. I have read the language carefully. I have read the bill and I have read the report.

Originally, I had not been under the concept that the bill constituted a taking of water by the Federal Government, but, as seems obvious to me upon reading it, it does exactly that. It does it not in the form of an appropriation but apparently it does it in the form of a reservation—whatever a reservation of water may be. There is certainly little or no doubt in my mind that a reservation of water, if enacted into law by Congress, would have a powerful and potent effect if we should have a water shortage and the conflicting rights of the owners of vested water rights, under State law, should come into conflict with this reservation of water under the Federal system that we have put into effect.

Consequently, it would seem to me only equitable to try to include in the bill some amendment of the kind now pending. It seems to me that this is an excellent amendment which would preserve the very livelihood of those persons who have protected their waterrights over a period of years and are relying on them to preserve their own property.

Granted that these exist—as the distinguished Senator from California pointed out—the provision that they will be paid compensation for any water right which is taken and which has previously been vested under either State or Federal law. But this does not really solve the

problem. If one does not have any water, they can pay him for the water right which has been taken, but he will be out of operation. If one lives on a ranch, or is engaged in some kind of recreational sport which is dependent upon water for its business, it would seem to me that he would be in very bad shape.

Thus, it would seem to me that when we run into a water shortage period, we should go back to the law of the State where the problem is involved to determine the priority rights of the persons on the streams with respect to their water.

I am happy that the Senator from Wyoming has brought this subject up. I sincerely hope that the Senator in charge of the bill will accept the amendment to the committee amendment. It is not an effort, as I understand it, to inject into the bill a change in water rights. It is not a question of trying to say that it will be State or Federal, one side or the other—it is merely suggesting that in the event of a shortage we should go under State law to determine what is going to happen in that particular area.

Am I correct in that assumption?

Mr. SIMPSON. I certainly agree with the Senator from Colorado. I believe that he is correct. Let me say to him that the House has been strong for this kind of amendment on bills of this nature—especially this one. We must find some extra leeway in the House in order to get the bill passed, because I am certain that it will pass the Senate. I would like to urge upon the Senator in charge of the bill that the amendment to the committee amendment be adopted.

Mr. CHURCH. Mr. President, I should like very much to oblige my good friends, but we have gone through this matter in considerable detail in committee before. It is an old, old problem. The committee has placed language in the bill which it was felt would preserve the status quo with respect to water rights.

I cannot accept this amendment because it would mean the writing of new water laws. It could have many ramifications impossible now to foresee.

When I was advised that this amendment would be pressed, I asked the Department of the Interior to prepare an analysis of its impact on the general proposition of the water law involved. The Department has done an excellent job in stating the case against the amendment, and I believe that I could do no better than to enumerate the several reasons why it would be a serious error to adopt such an amendment to this bill.

First of all, let me read the amendment:

> Whenever either Secretary shall reserve any portion of the waters of a stream for the purposes of this Act he shall comply with the laws of the State with respect to water and water rights, and any rights perfected under the applicable State laws shall be subject to State law with respect to the allocation of waters in years of shortage.

Mr. President, the amendment should be rejected for the following reasons as stated in the Department's reply:

> 1. The amendment assumes erroneously that under the terms of the bill the Secretary of the Interior or the Secretary of Agriculture is required to take some affirmative action in order to reserve water for the purpose of the act. The bill neither requires nor permits the Secretary to take such action. The enactment of the bill is itself a reservation of the water needed to carry out its purposes.
>
> 2. The amendment assumes that a water right could be perfected under State law for the purposes of the wild rivers program. In fact, however, State laws do not provide for the appropriation of water for the purpose of maintaining the natural flow of a stream. It would therefore normally not be possible to comply with State law, and the amendment would defeat the purpose of the Federal legislation.
>
> 3. It is settled law that Federal legislation authorizing Federal lands to be used for a particular purpose reserves sufficient unappropriated water flowing through the Federal lands to accomplish that purpose. This reservation does not affect prior valid rights under State law, but it does establish a priority that is good against subsequent appropriators. This principle of law is recognized and applied by section 5(h) of the bill which provides——

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

Mr. CHURCH. I shall be glad to yield in a moment, as soon as I complete my statement.

Mr. SIMPSON. Is the Senator reading from the Department's reply?

Mr. CHURCH. Yes.

Mr. SIMPSON. I wanted the RECORD to show that.

> This principle of law is recognized and applied by section 5(h) of the bill which provides:
>
> "Designation of any stream or portion thereof shall not be construed as a reservation of the waters of such stream for purposes other than those specified in this Act, or in quantities greater than necessary to accomplish these purposes."
>
> The amendment would reverse this established principle of law by requiring the Secretary to acquire an appropriation right under State law to carry out the Federal program—a requirement with which it would probably be impossible to comply.
>
> 4. One of the major premises of the wild rivers bill, as stated in section 5(d) is that "the jurisdiction of the States and the United States over waters of any stream included in a wild river area shall be determined by established principles of law." The amendment is inconsistent with this premise and purports to write new water law. The wild rivers bill is not an appropriate vehicle for undertaking a major revision of Federal-State water jurisdiction. The wild rivers bill maintains the status quo with respect to water law, and we believe that such action is highly desirable. It would be a mistake, in our judgment, to imperil the wild rivers program by injecting a new and highly controversial change in established water law.

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

Mr. CHURCH. I will yield in a moment.

I continue reading:

> For purposes of emphasis, the comment should be repeated that the establishment of a wild river area by legislation will not affect or impair any existing valid water right under State law. In the event of a water shortage, priorities among prior appropriators will be determined according to State law. The establishment of the wild river will not affect those priorities. If the United States needs to acquire a water right that is vested under State law, section 5(d) specifically provides that the United States must pay for it.

I think these reasons are ample, indeed, to make a case against adoption of the amendment proposed by the Senator from Wyoming.

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

Mr. CHURCH. I yield.

Mr. DOMINICK. I have only two comments to make. The last reference is very interesting to me, on the basis, if I understood the Senator correctly, that water rights vested under State laws in a wild river area would be recognized under State laws. Is that correct?

Mr. CHURCH. Yes. Let me read the sentence:

> In the event of a water shortage priorities among prior appropriators will be determined according to State law.

Mr. DOMINICK. That is very interesting. I hope that remains part and parcel of this RECORD, because it bears exactly on the point the amendment was intended to clarify.

The other point I wish to make concerns that portion of the memorandum the Senator read which states that nothing in the bill has to do with acquisition of a water right. In technical, legal language that may be correct, but it appears that there is a reservation of water made by the Federal Government by the enactment of the bill. If that is not a right, it is at least some kind of claim on the water in the rivers included in the bill, which is going to have an effect on the water rights in these rivers. That is exactely what we are trying to clarify by the amendment. I do not think the memorandum in that particular is dealing with the point which we are trying to clarify.

Mr. CHURCH. I disagree. It seems to me that it is exactly on the point. The pertinent part of the memorandum reads as follows:

> It is settled law that Federal legislation authorizing Federal lands to be used for a particular purpose reserves sufficient unappropriated water flowing through the Federal lands to accomplish that purpose. This reservation does not affect prior valid rights under State law, but it does establish a priority that is good against subsequent appropriators. This principle of law is recognized and applied by section 5(h) of the bill.

That is exactly relevant, and is a complete answer to the argument that has been presented here in favor of the proposed amendment.

Mr. DOMINICK. Is not that principle also recognized under State law?

Mr. CHURCH. It is.

Mr. DOMINICK. So we would be adding nothing new by the language.

Mr. CHURCH. With that I cannot agree. The various objections raised to the amendment make clear the mischief that would result if it were adopted. The amendment is unnecessary and ought not, in any case, be adopted without a thorough investigation of its ramifications.

Mr. SIMPSON. Mr. President, I compliment the Senator for the way he conducted the subcommittee. I would be remiss in my duty if I did not compliment the Senator for the way in which he conducted the hearing on the

Green River as well as the one in Boise, Idaho. Since I became a member of the Interior and Insular Affairs Committee, no bill has received more consideration than this bill. I am sorry I cannot convince the Senator to adopt the amendment which the Senator from Colorado [Mr. ALLOTT] presented and which the junior Senator from Colorado [Mr. DOMINICK] and I have cosponsored. I think its adoption would be helpful in getting the bill through the House, where I think our difficulties are going to lie.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Wyoming [Mr. SIMPSON] to the committee amendment.

Mr. CHURCH. Mr. President, first, I thank the Senator from Wyoming for his generous remarks. I wish I could oblige him. I always prefer to do so when I can. The Senator has performed a very real service to his colleague from Colorado [Mr. ALLOTT] in advocating the adoption of his amendment in his absence. I know that all concerned appreciate the courtesy which the Senator from Wyoming has extended in this regard.

Mr. SIMPSON. I thank the Senator.

Mr. CHURCH. 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. CHURCH. 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. MORSE. Mr. President, will the Senator yield?

Mr. CHURCH. I am happy to yield to the Senator.

Mr. MORSE. A few moments ago the Senator from Idaho, the Senator from California [Mr. KUCHEL], and I sought to make a legislative record in respect to the import and intent of the amendment offered by the Senator from California.

I believe the RECORD will show in essence that legislative history records that there is no intention whatsoever on the part of the amendment offered by the Senator from California and agreed to by all of us to in any way change the legal water rights of the State or the Federal Government, or in any way to estop or stay the Federal Government from bringing any action that either party deems would be within its legal rights to bring in preparing for an adjudication of any existing dispute. The amendment seeks only to extend and perpetuate the status quo in regard to State and Federal water rights.

In other words, if a controversy exists or should develop as to what those water rights are in regard to a specific case, either the State or Federal Government would be perfectly free, irrespective of the adoption of the amendment, to pursue an adjudication of a legal right.

Mr. CHURCH. The Senator is correct.

Mr. MORSE. The pending amendment gives me great concern because it seems to me that the pending amendment does exactly the opposite. The pending amendment would have the effect of changing existing water right law, in that it seeks to give preference, a priority of right, to the State law in respect to what could very well be, if we started to enumerate the hypotheticals, almost an innumerable number of prodigious situations.

Does the Senator agree with me?

Mr. CHURCH. I agree.

Mr. MORSE. Therefore, if we wish to change existing water right law by giving greater claims to the States than they now possess, that situation should be handled by a separate bill on which hearings would be held and testimony would be taken.

Mr. CHURCH. There is no question that such would be the only sound legislative procedure.

Mr. MORSE. I have not had time to do more than scan the hearings, checking the index.

I judge that the senior Senator from Idaho, as chairman of the committee, did not conduct exhaustive inquiries into the important consequence of such an amendment as is offered now by the Senator from Wyoming.

Mr. CHURCH. Certainly not, for our purpose was to preserve the status quo, and that alone, respecting water laws.

Mr. MORSE. I will not vote for the bill unless it can be changed to correct some holes in it with respect to the rights of my State.

But I join the Senator from Idaho in his objection to the amendment.

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

Mr. CHURCH. I yield.

Mr. DOMINICK. The minority views state on page 16:

> The jurisdiction of the States over waters of any stream included in a wild river area should not be affected by the passage of this bill. The Federal Government should be required to comply with State laws when acquiring water rights or vested interests therein.

So the Senator was on notice that this was a part of the principle, minority members thought should be incorporated in the bill.

The interesting thing is that almost all of the principles have been adopted by consent except this one. I am not sure why the objection arose to this one.

I want to reiterate that the last section of that memorandum stated that in times of water shortage priority of rights would be determined under the vested rights and the priorities of time, as I understand.

Is that correct?

Mr. CHURCH. I am sorry. Will the Senator restate his question?

Mr. DOMINICK. I am talking about the last portion of the memorandum. In times of shortage whatever rights the Federal Government might acquire by passage of the bill would be considered subordinated to those who had rights in the stream before this date.

Mr. CHURCH. Yes. That is the existing law and practice of the Federal Government, and would continue to be the practice. Nothing in the bill would change that practice in any way.

Mr. DOMINICK. That is the basic issue we are trying to solve.

I thank the Senator.

Mr. CHURCH. By way of further response to the Senator, the substance of the Allott-Simpson amendment was discussed in executive sessions of the Interior Committee, for a considerable length of time, and it was rejected.

The position I take on the floor today is consistent with that taken by the committee when the question was raised previously.

Mr. President, for these reasons I hope the Senate will see fit to reject the pending amendment.

I ask for a vote on the pending amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Wyoming [Mr. SIMPSON] to the committee amendment.

The amendment to the amendment was rejected.

Mr. SIMPSON. Mr. President, I would like to comment on the bill, S. 1446, which would establish a National Wild Rivers System.

This proposal has received a great deal of attention in the State of Wyoming, and was the subject of committee hearings in Green River, Wyo.—which hearings were well attended, and demonstrated the allout opposition in Wyoming to the inclusion of the Green River in the Wild Rivers System.

The bill was introduced on March 10, 1965, by my colleague from Idaho [Mr. CHURCH]. I was surprised, as were the Governor and other Wyoming officials, to learn that the Green River, one of Wyoming's major rivers, was designated in the proposal to be a part of the Wild Rivers System.

Since that day in March, I have worked untold hours with Department of the Interior people, Senators JORDAN and CHURCH and other members of the Senate Interior Committee, and with Governor Hansen and other Wyoming officials, in an effort to have the Green River stricken from that portion of the bill which would make it a part of the Wild Rivers System.

We have been successful in eliminating it from the "instant" section of the bill. The Green River is now listed in the bill as one of those rivers which should be studied more extensively before it would be added to the System by congressional action. For this, I thank my colleagues in the Senate Interior Committee. Irreparable damage could have been done to the State of Wyoming, had this river been permanently placed in the Wild Rivers System.

For purposes of creating legislative history, which may be relied upon in later years, when studies are made of the Green River, I would like to make some comments about this most important river.

The Department of the Interior had recommended in the legislation as originally introduced that the upper 84 miles of the Green River be incorporated in

the Wild Rivers System. This would begin at the river's source, in the Three Forks Park of the Bridger Wilderness Area, and extend downstream to the mouth of Horse Creek, which is 2 miles east of the town of Daniel.

The upper 12 miles of the Green River are in the Bridger Wilderness Area. The next 34 miles flow through the National Forest Service land, and Bureau of Land Management land. The remaining 38 miles are in private and State ownership.

I do not believe there is anyone who would contend that the Green River is not a beautiful and scenic river and, in fact, truly a wild river. The question to which the committee addressed itself, and to which we must address ourselves in considering other rivers, is whether or not the river itself will add to the value of the National Wild Rivers System, and whether or not the river area will be aided by incorporation in the Wild Rivers System.

What will be best for preservation of nature's beautiful streams, the animal habitat, and the greatest fishing country in the world? And, particularly, those of us from Wyoming are interested in determining the future utilization of Wyoming's water rights, as set forth in the Upper Colorado River Compact. We need to determine whether Wyoming could be fully developed industrially and economically, with large portions of our land area taken out of productive use and managed on a one-use basis, rather than under the multiple-use concept.

These were the questions that were raised when we considered the incorporation of the Green River in this system.

Quite frankly, there is not enough information available at this time to answer these questions. In order to provide for good management of our natural resources and our limited supplies of water in the West, those questions must be answered before legislation such as we are considering today encompasses our rivers and streams.

One of the reasons why I was so shocked to learn that the bill as originally introduced in March included the Green River, was that the Department of the Interior had promised to supply the Governor of our State with a report prepared by the field teams, appointed by the Secretaries of Interior and Agriculture. These teams were to make detailed studies of the effects, the advantages and the disadvantages of making a river a part of the proposed Wild Rivers System. That report was not furnished to our Governor prior to introduction of this legislation, and it has not been given to him, to this date.

For purposes of the record and legislative history, I would like to refer interested persons to the CONGRESSIONAL RECORD, volume 111, part 4, page 4291, and the Senate committee hearings on this bill, so that the full history can be seen on the manner in which this Green River situation was handled. I do not propose to take the Senate's time, now, to review this, because I testified at some length about it. However, I do want to say that the Department of the Interior did not deal fairly with Governor Hansen in handling this matter. On several occasions, Department officials promised him and me that the Green River would not be included in the wild rivers proposal. Then, at the last moment, it was inserted, without proper notification to him or me.

My position has been, and still is, that the Federal Government of the United States must be honest and truthful with its people, and that it is the duty of the Congress to reassert that integrity when it is breached by any Government official.

In this instance, Secretary Udall acknowledges the breach, and apologizes for it. That is one of the reasons why the Senate Interior and Insular Affairs Committee was willing to strike the Green River from the bill, as I proposed.

With respect to the land, I believe that the Wilderness System does preserve, in conjunction with the Forest Service, a sufficient quantity of the Green River to assure that we will always have a truly wild river. I do not think that at this time more land should be acquired by the Federal Government. The history and the evidence clearly show that the private users have not and will not abuse the land. It is open to the public for fishing and tourism.

I believe in the right of private property, as guaranteed to us in the Constitution; and whenever possible, the Federal Government should work to see that the management of its lands is carried out so that it complements private ownership. If that is done, the public will benefit.

I agree with the concept that certain of our Nation's great scenic rivers should be preserved in their free-flowing condition. We need to promote sound water conservation and public use and enjoyment of the scenic, fish and wildlife, and outdoor recreation values. But before we set rivers aside and use them for a single purpose, I think we must make a thorough and exhaustive study and review of the whole river basin, so that we can know what effect the designation of that river as a "wild river" will have upon the water uses and the economy of the area affected.

This bill has been reworked and reworded, after several meetings of the Interior Committee. We Republicans offered many amendments, and the committee considered them and adopted the greatest proportion of them. I compliment the committee chairman and the committee members, for this piece of legislation has received more attention in its detail and wording than any other piece of legislation that has been considered by this committee since I have served on it. The committee was responsive to my urging that the Green River be eliminated, and for this I am grateful.

I think it is important that the basic principles we adopt in this bill be carried out. I believe that when water rights are acquired for wild river purposes, the rights must be established under existing principles of State and Federal water law, and that just compensation must be paid. We must provide that the jurisdiction of the States over waters of any stream included in the Wild Rivers System shall not be affected by the passage of this bill; and, further, that the Federal Government be required to comply with State laws when acquiring water rights or vested interest therein. It is important that it be understood that there will not be a reservation or appropriation of all unappropriated water of the rivers and streams included in the Wild Rivers System, and that the reservation of water will be only for the purposes outlined in the bill, and only in quantities necessary to accomplish these purposes.

The bill is a great improvement over that which was introduced a year ago. We have tightened up the language and given protection to the State of Wyoming and to our ranchers by eliminating the Green River from the bill and by guaranteeing our State water rights. I am hopeful that the House committee will take a close and careful look at it.

Mr. MORSE. Mr. President, I send to the desk an amendment and ask that it be read.

The PRESIDING OFFICER (Mr. HOLLAND in the chair). The amendment to the amendment will be stated.

The legislative clerk read as follows:

On page 25, between lines 3 and 4, in the committee amendment, insert the following new subsection:

"(1) Notwithstanding any other provision of this Act, neither the Secretary of the Interior or the Secretary of Agriculture shall be authorized to acquire, by condemnation or exchange, any lands, waters, nor interests therein (including scenic easements), located in the State of Oregon, for the purpose of administering such lands, waters, or interests as a part of the National Wild Rivers System."

Mr. MORSE. Mr. President, I should like to have the attention of the Senator from Idaho. It is not the plan of the Senator from Oregon to pursue this amendment to a vote tonight. It is my intention, however, to use the amendment as a basis for a rather lengthy speech that I wish to make on the bill, setting forth my reasons for opposing the bill in its present form. At the appropriate time tomorrow, meeting with the pleasure of the leadership of the Senate and of the Senator from Idaho [Mr. CHURCH], we can come to a vote on the bill. I shall want a yea-and-nay vote on the bill. I have been advised, I say to the Senator from Idaho, that it probably would not be the most considerate thing the senior Senator from Oregon could do to press for a yea-and-nay vote on the bill tonight. As the Senator knows, I always seek to oblige my leadership in matters that involve parliamentary courtesy. But it will take me probably a good part of an hour to present my speech on the bill, and I shall use this amendment as the basis for that discussion, although I shall discuss a good many other subjects that will involve other amendments that I shall offer subsequently.

Mr. AIKEN. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. AIKEN. Does the Senator from Oregon follow the premise that what is good for Oregon is good for other States?

Mr. MORSE. I say that what is bad for Oregon, I have an obligation to prevent from occurring. I hope that the discussion I engage in may elicit some support from the Senator from Vermont, so that if he agrees with me that the bill would be bad for Vermont, too, I would join with him in seeking to protect Vermont. But my present duty is to do what I can to prevent wrong being done to my State.

Mr. AIKEN. The Senator from Vermont, while in full sympathy with what the Senator from Idaho is seeking to accomplish, is at the same time rather apprehensive as to the possible effect on other States and other programs.

In Vermont, the State is doing exceptionally good work with the soil and water conservation fund and other funds, and is making great progress. I really do not like the idea of having that progress disturbed by any further legislation. If the bill were to apply only to the States which the Senator from Idaho has in mind, I could probably support it. But not knowing exactly what the effect would be, I feel that I must be a little careful.

Mr. MORSE. That is one reason, I say to the Senator from Vermont, why I wish to present a general discussion tonight. It will be in the RECORD, so that we can all consider the different points of view that exist between the Senator from Idaho and those who believe the bill ought to be amended in some particulars.

As Senators will learn, as they listen to my speech, I do not find myself in any conflict with the Senator from Idaho; I merely find myself in a position where I cannot accept the language of the bill in some particulars, in view of what I know the effects of it would be on my State. I may tomorrow withdraw this amendment and seek to have another amendment considered first, if as a result of our discussions we think we may have a better meeting of minds in reaching agreement on the bill. However, I am using this amendment to bring the question before the Senate. I shall move tomorrow, if I decide that it is in the best interests of my State to do so, under the circumstances that exist then, to seek to have the Rogue River included in a study program, and not included in this bill, for the application of the terms of the bill.

I shall be completely flexible in regard to the position I take tomorrow in trying to get the bill into a form that I believe would protect the particular principles that I believe, in the interests of conservation and the development of our rivers. These principles ought to be protected, whether they relate to Oregon, Vermont, or any other State.

Mr. AIKEN. I thank the Senator from Oregon. My own apprehensions were aroused by the fact that my State acquires access for the public on land and on rivers in every area of the State, but we depend heavily on private development, which makes it possible for the State to buy more public land.

So I repeat: The idea of the Senator from Idaho is good. However, I am still apprehensive about spreading any more programs throughout the whole country.

Mr. CHURCH. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. CHURCH. I hope the Senator from Vermont and I may have an opportunity to review the bill. I know that he has not had a full opportunity to study it carefully.

Mr. AIKEN. I never saw it until this morning.

Mr. CHURCH. For that reason, I should like to discuss the bill with the Senator, because I am hopeful that any ground for apprehension might be removed by fuller discussion.

Mr. AIKEN. It might be removed by a careful discussion of the subject of public use.

Mr. CHURCH. Yes. I look forward to an opportunity to discuss the bill with the Senator.

Mr. AIKEN. With the cooperation of the Senator from Oregon, it is possible that something may be worked out.

Mr. MORSE. The Senator from Oregon proposes and hopes that the Senator from Idaho [Mr. CHURCH] and the Senator from Oregon will be able to reach a comity of agreement with regard to the final form that the bill will take in the Senate, before it comes to a vote. It is my hope that the members of the committee who have reported the bill to the Senate will give careful consideration to the suggestions for changes in the bill that I shall raise tonight. I do not believe that the bill in its present form, for the reasons I shall set forth, is fair to the State of Oregon.

My amendment deals only with the portion of S. 1446 which relates to the Rogue River segment of the proposed National Wild Rivers System. The Rogue River is a stream in my State.

CONCEPT OF NATIONAL WILD RIVERS SYSTEM ENDORSED

Let me make it very clear to the Senator from Idaho and to my other Senate colleagues that I endorse the concept of a National Wild Rivers System because it is designed to preserve for the people of this Nation and for future generations of Americans certain of the free-flowing rivers of the United States for recreational use and for the preservation of scenic, wildlife, and fishery benefits. We live in an industrial age, a space age, in which our people are being compressed into large metropolitan areas remote from open spaces of mountains, seashore, and streamside. The accelerated pace of our lives today calls for compensatory rest and recreation in areas of natural beauty such as those designated as wild rivers in S. 1446. We have only a few years to plan now for the future, and it is important that we take action promptly to establish a National Wild Rivers System throughout the United States providing that Congress, in its judgment, finds that such use of these areas will be the best use in the public interest.

Let me assure Senators that my concern at this time relates not to the concept of a national wild rivers system, but to certain provisions of the pending legislative proposal which I believe are not in the public interest, or which seriously invade private property interests that are deserving of the utmost protection under our system of government.

That causes me to come to a discussion of condemnation of private property interests in the Rogue River section of Oregon.

For many years, I have expressed in Senate committees and on the floor of the Senate my firm opposition to the condemnation of private property for Federal park purposes in areas in which there are abundant Federal, State, or county recreational lands readily accessible to the public. For several years I have voiced my opposition to the inclusion of a private property condemnation provision in the Oregon Dunes National Seashore legislation.

On many occasions I have pointed out that in cases of this type, Congress should respect the time-honored right of American citizens to own land in fee simple for "themselves, their heirs and assigns."

In Oregon more than 50 percent of the land of my State is in fact owned by all the people of the United States from coast to coast.

I have been informed that in the Rogue River segment of the National Wild Rivers System covered by S. 1446 that an even larger percentage of the land is owned by the Federal Government or other public bodies.

I say now, as I have said in connection with the Dunes legislation, that no private property should be condemned unless it can be shown that such property is essential to the project as a matter of public necessity.

Every lawyer in the Senate knows that public necessity is a phrase of legal art. For years I taught the law of eminent domain. I know what the common law provides in regard to the law of eminent domain; and I know that it has always been inherent in, and carefully guarded by, Anglo-Saxon jurisprudence that property shall not be taken from the fee simple owner, no matter what the compensation is, except upon a clear showing of public necessity.

Before I go further in my discussion of this matter of the law of eminent domain and condemnation, I should like to have the Senate recognize that if we should give the blanket authority that is proposed in this bill to be given to the two Secretaries, their findings would become final. If they were to decree that a piece of property should be condemned, we would have practically no chance at all of setting aside their finding unless there could be a showing of some clear, arbitrary, or capricious conduct on their part.

My opposition to the condemnation provisions that the Secretary of the Interior seeks in the Oregon dunes legislation is known. I have sought to take the committee through the law of eminent domain in a rather long discourse on the legal aspects of the matter in the Senate committee. I shall, if necessary, tomorrow, or the next day, repeat that discussion on the floor of the Senate.

I am not opposed to the taking of property for park purposes when public necessity requires it. However, I am opposed, in the dunes bill and in this bill, to giving blanket authority to the two Secretaries under the formula set up in the bill.

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

Mr. MORSE. I yield.

Mr. CHURCH. Mr. President, I am not in disagreement with respect to the proposition that general condemnation authority should not be granted for recreational purposes in areas in which there is already sufficient public land. It was this very consideration that led the committee to adopt the formula now contained in the bill.

That formula appears at the bottom of page 21 and the top of page 22 and reads:

Provided, That neither Secretary may acquire lands, waters, or interests therein by condemnation without the owner's consent when 75 per centum or more of the acreage or stream bank within the entire wild river area is owned by Federal, State, or local governmental agencies, but this limitation shall not apply to the acquisition of scenic easements.

We were attempting, in drafting this formula, to exclude from the reach of condemnation those regions in which there was obviously enough public land, that is, where no need or justification existed for condemning private property in order to assure the necessary public access to the river, the necessary recreational facilities, or public camp grounds, that may be reasonably required to implement the objectives of the bill.

It may be that, with respect to the 75-percent requirement, the committee decision erred on the side of too much leniency, but the reasoning that led the committee to adopt this formula stems from the basic proposition that the Senator from Oregon has expressed on the floor today.

Mr. MORSE. I understand what the committee tried to do, and I want the Senator from Idaho to know that I appreciate the fact that it is not a carte blanche authority to take whatever property they want; at least there is some limitation, in the 75-percent requirement.

There still remains a great difference between the senior Senator from Oregon and the committee formula. I do not find myself able to agree that we should give to the Secretaries involved here, or in the Dunes bill, or in any other bill that involves a fact situation which I shall describe in a moment, the authority to condemn property without a showing of public necessity. We are confronted with the situation in many park bills in which we have no recourse if we grant blanket authority to the Secretaries to condemn property. That is why, to return to the Oregon Dunes bill for a moment, as I have said, there is a substantial amount of Federal property, and the State is willing to commingle some of the property in that Dunes park. We have plenty of land to start a park.

If the Secretary can then show, within the next 2 years after the bill has been passed, that he is unable to negotiate the purchase of parcels X, Y, and Z, or any other number of parcels, for a fair price, and that that property is needed on the ground of public necessity, he shall then come to Congress, and a bill will be offered in regard to those parcels, in connection with which he shall show a public necessity.

That is quite a different procedure than the procedure the Secretaries want. They want blanket authority in a park bill to condemn property. There would not be anything that we could do if there were an honest difference of opinion as to whether the property fell under the common law doctrine of public necessity. Common law cases which, as precedents, have binding effect in common law States in the absence of State statute, have modified the common law doctrine, and make it perfectly clear that one of the reasons for the great contest that developed in Great Britain, and particularly in the Colonies against the Crown, was a fixed and arbitrary power in the field of eminent domain.

A clear showing of public necessity is all the Senator from Oregon has been pleading for in regard to parks in his State. As I have said, over 50 percent of the land in Oregon is owned by the Federal Government. Over 50 percent of my State is owned by the Federal Government.

We must then add to that percentage the large acreage that is owned by the State government. This is a matter of great concern to the senior Senator from Oregon.

I have just returned from 3 days in my State. I met with group after group. They left no room for doubt as to what they thought my obligations were in connection with this bill. They had me on the spot, so to speak, as we politicians say. They said:

What is your position?

I said:

My position is a matter of record. I am not going to support the bill unless we can arrive at an adjustment in connection with condemnation and land exchange.

I shall discuss that point to some degree tonight, but at much greater length tomorrow when I offer another amendment to this bill in regard to land exchanges.

I state once more for the record what the position of the senior Senator from Oregon has been over the years with regard to condemnation in respect to the establishment of parks. There are those who, if they can seek to create the impression that an officeholder is inconsistent, can blow up a great balloon of alleged inconsistency on the part of that officeholder and create the impression that the officeholder is one way on one bill and another way on another bill.

That has been done in my State on the part of some who do not wish me well politically in regard to some of my votes on park bills.

Let me enumerate two or three of them. The Cape Cod bill is one. The Senator from Oregon voted for the Cape Cod bill and supported the Cape Cod bill.

I was satisfied that the showing was made that the elements of public necessity were established. We were dealing with private land. If we were to have any park at all in the Cape Cod area, we had to have a bill which permitted the condemnation of that land.

The boundaries of that land were set out with clarity within the bill. Every Senator, before he voted on the bill, knew exactly what property was to be condemned. In the opinion of the senior Senator from Oregon the hearings left no room for doubt that the Secretary had met the established criteria required under the law of public necessity. I voted for the bill.

They do not discuss the factual situation that I have explained. When I say "they," I mean those who are trying to give the false impression that the senior Senator from Oregon has not followed clear, logical lines in every park case that has come before the Senate.

It is said that the senior Senator from Oregon is a cosponsor of the Douglas Indiana Dunes bill. I certainly am. I believe it is a very sad thing indeed that those dunes, privately owned, cannot, to the extent of the acreage called for by the Senator's bill, be set aside as a public park for the enjoyment of the people in that heavily populated area of our country.

Mr. President, we cannot have a park in the Dunes area of Indiana without taking private property. So the question is raised, Does the taking meet the criteria of public necessity?

Before the senior Senator from Oregon became a cosponsor of the Douglas bill, he made a careful analysis of the need for the park and the justification for the park, and the fact that this privately owned land had to be taken before we could have a park. Therefore, we had a case in which the common law criteria of the law of public necessity were fully met.

The Senate will recall that 2 or 3 years ago there was before us the Sleeping Bear Park in Michigan. The senior Senator from Oregon sought to persuade the Senators from Michigan to drop the condemnation section with respect to private property. They refused to do so. The senior Senator from Oregon voted against the Sleeping Bear bill. Why? I ask Senators to read the record of my analysis of that bill.

The analysis which I presented to the Senate—not denied by the proponents of the bill—showed that we could have a huge park in the form of the Sleeping

Bear Park without taking an acre of private land.

Therefore, I took the same position that I am taking now with regard to the Oregon Dunes. I say that we should establish a park with Federal property; then, if the Secretary of the Interior cannot negotiate the purchase of the pieces of privately owned property that he says are required as a matter of public necessity, and cannot do it within 2 years, let him come to Congress with a special bill to establish the public necessity.

In other words, in the Sleeping Bear case I was satisfied that the Secretary of the Interior fell flat on his face when it came to demonstrating in advance why he needed the private property to be incorporated in the bill as a part of the Sleeping Bear Park.

This has been the suggestion of the senior Senator from Oregon with regard to the proposal for an Oregon Dunes bill. I have opposed it for some years, and I shall continue to oppose it again this year, unless we can arrive at a negotiated settlement with the Department of the Interior which will give protection to the owners of private property in that area in those cases in which the Secretary of the Interior wants a given piece of property and cannot negotiate the purchase of it. In such cases he ought to be required to come before Congress to prove, with respect to each parcel that he seeks, that it meets the common law criteria of public necessity. The common law criteria of public necessity happen to be the criteria of public necessity in the law of my State.

The position of the senior Senator from Oregon has been crystal clear and completely logical from the beginning to the end of the consideration of all the park bills.

Now we have a little modification of the formula with regard to the present bill.

However, as I shall point out momentarily, the best information I can receive is that the Federal Government owns 60 percent of the land in the Rogue River area. That is 15 percent less than the 75 percent exemption formula provided in the bill. Under the bill, if the Federal Government owns 75 percent of the land, the Secretaries would not have condemnation authority. However, that will not apply to the Rogue River area, because it is only in the neighborhood of 60 percent. Furthermore, when we have that much less land, or even if we have less land than 60 percent, used by the Federal Government, we do not destroy the objectives of the bill by the requirement that if the Federal property cannot be bought under the wild rivers program, the Secretary shall then be obliged to try to purchase other land, owned by private owners; and if he cannot purchase it after a reasonable period of time—I have said 2 years, but I am not wedded to 2 years, but a reasonable period of time—he should be required to come to Congress and say that he needs X pieces of property as a matter of public necessity in order to carry out the objectives of the bill.

I am at a loss to understand the trend, which I have seen develop in the 20 years I have been in the Senate, which gives more and more arbitrary discretionary power to the administrators of the executive branch of the Government.

Mr. President, let me say, most respectfully, that in my judgment this is another example of Congress' delegating its powers, powers it should exercise itself. When we give blanket authority to the Secretaries of Agriculture and Interior to condemn property, we know that their findings become final.

I wish to keep the authority in Congress to pass judgment upon pieces of land which the Secretary wishes to condemn. I happen to believe that our constituents are entitled to that kind of protection from Congress.

Mr. President, I shall be discussing at great length, whenever it reaches the floor of the Senate—if it does—the factual situation in the Oregon Dunes Park case. Tonight, I do not propose to go into that subject in any detail, except to say that, as the Senator from Oregon, I do not intend to ignore the very strong opposition to the Dunes Park. I fully appreciate that there is also strong support for it.

However, when as Senators we are met with this kind of conflict in our States, it is our duty to analyze all the facts, circumstances, and legal problems connected with the case, and to reach a judgment.

For years, my judgment has been that the Secretary of the Interior should reach an adjustment whereby we can resolve this difference and bring an end to the controversial conflict which has developed over the Oregon Dunes Park, by going ahead and establishing the park on the thousands of acres of land that the Federal Government owns and then, with respect to specific parcels of land, putting the burden upon the Secretary of the Interior to show that he really needs that land by way of public necessity.

Let me tell the Senate what will happen: He will have a hard time showing that he needs any of the parcels of land he is now trying to get by blanket condemnation authority.

However, I shall discuss that subject some time in the future when it is before the Senate, by bringing in maps which will show whereof I speak.

In this particular instance, the State of Oregon owns every single square inch of the shoreline. It is all public property. We have no problem of access to the ocean, or to the dunes from the ocean.

We had a very wise democratic Governor of Oregon many years ago, Oswald West, who succeeded in establishing in our State—and it is now a matter of law—that the shoreline belongs to the people through their State government.

Consequently, this is a fact situation completely different from the fact situation existing in the Cape Cod Park, the Indiana Dunes Park, or Sleeping Bear Park.

Mr. President, I consider myself to be completely right in my insistence on urging modification of the condemnation procedures of the Oregon Dunes National Seashore bill. Likewise, in this case, for reasons which I shall now proceed to set forth, I believe that we should have a modification of the condemnation features of the bill.

Under S. 1446 the Secretaries of Interior and Agriculture would be given blanket authority to render judgment in the name of Congress as to whether a piece of privately owned land in the Rogue River area should be condemned. This grant of power to the Secretaries is, indeed, formidable. It places in them complete discretion as to whether a piece of land should be taken away from a private owner and money compensation substituted for his former ownership rights. It makes the Secretaries, in effect, courts of last resort, because once their discretion has been exercised the private property owner's land has been lost beyond recall. This deplorable situation would not exist in the State of Idaho under S. 1446; it should not exist in Oregon. So far as other States for which wild rivers areas will be designated under this bill are concerned, I leave it to the Senators of those States to determine whether the public interest demands the inclusion of condemnation power with respect to private lands in those areas.

Mr. President, let me say for the RECORD that I particularly emphasize that sentence for the benefit of my good friend the Senator from Vermont [Mr. AIKEN], because I believe it is very important that he consider the import and the meaning of that sentence when he comes to read and analyze my speech between now and the vote on my amendment to the committee amendment.

If any Senator should find that same problem exists in his State in regard to any river, I would expect him to do what he can to protect the interests of the citizenry of his State.

However, I am confronted with what I know to be the factual situation along the Rogue River. In my judgment, the grant of this condemnation power is entirely too broad.

The first portion of my amendment would eliminate the use of condemnation in acquiring private lands and scenic easements in the Rogue River wild rivers area. S. 1446, as reported, provides that where "75 percent or more of the acreage or stream bank within the entire wild river is owned by Federal, State, or local governmental agencies," neither Secretary may acquire fee simple interests in lands, waters, or interests therein by condemnation without the owner's consent. However, either Secretary may acquire scenic easement by condemnation.

The staff of the Senate Interior Committee has informed my office that the Rogue River segment of the national wild rivers system is approximately 60 percent publicly owned. Thus, condemnation of private lands in this area would be authorized under the bill. Apparently the Clearwater and Salmon wild rivers areas of Idaho are over 75 percent federally owned, thus condemnation of private lands would not be permitted.

Let me make clear that I do not make that observation with any innuendo or implication that the Senator from Idaho, the Senator in charge of the bill, has exempted Idaho rivers because of any selfish interest on the part of Idaho. I know the Senator from Idaho too well for that. He does not engage in carrying out such motives.

I know the reason why Idaho is exempted. It is the formula to which I am objecting, which I believe will result in an unfair advantage to fee simple owners in Idaho in relationship to fee simple owners elsewhere.

Mr. CHURCH. Mr. President, will the Senator from Oregon yield?

The PRESIDING OFFICER (Mr. Moss in the chair). Does the Senator from Oregon yield to the Senator from Idaho?

Mr. MORSE. One more sentence, and then I shall be glad to yield.

I believe it is grossly unfair to have the fee simple rights of the people of my State along the Rogue River determined by such a formula. Fee simple rights are just as precious to an Oregonian living along the Rogue River as they are to someone in Idaho living along the Clearwater or Salmon Rivers. That is why I wish at least to press for favorable consideration by the Senate, to require the Secretary to prove, in regard to individual parcels of private land that, in fact, the criteria of the law of private necessity are present.

Now I am glad to yield to the Senator from Idaho.

Mr. CHURCH. First, let me say that in reaching a decision in the committee as to how condemnation powers should be limited, several methods were adopted. The bill contains several limitations. There is the 75 percent limitation to which the Senator has referred. There is the 300-foot limitation. There is also the further provision that condemnation may not be exercised in any village, borough, city, or county where adequate zoning ordinances are already in effect.

Therefore, the committee has attempted, in good faith, to establish definite statutory limitations on the exercise of the condemnation power, while still leaving in the bill sufficient power to safeguard the character of a wild river once it is included within the system.

Nevertheless, I believe that the Senator makes a strong point when he states that, whatever limitation on condemnation may exist in the bill, it should confer upon the property owners of Oregon the same measure of protection that it confers upon the property owners of Idaho.

I merely wish to indicate to the Senator that, on this point, we are not in dispute. I believe that simple equity requires us to try to arrive at whatever alteration in the statutory formula as will assure that Oregon property owners will get the same measure of protection as Idaho property owners receive under the bill.

But, I say to the Senator that the form that his amendment now takes is not acceptable, because it would confer special treatment to Oregon, and there is no end once we start down that road, each State becomes a special pleader.

I believe the objective the Senator is seeking could be attained through the modification of the statutory formula itself. Then we would have one standard that would apply to all the States within the system. This is imperative, in the interests of obtaining uniform treatment. I would like to accommodate the Senator, but in a manner which will avoid discriminating in favor of one State as against the others.

Mr. MORSE. I understand the Senator. He gives further proof of what I have said many times outside his presence. The Senator from Idaho is always motivated by a desire to be fair and just. That does not mean, in spite of his good faith, that it always results in a uniformity of justice to the people who fall within the purview of the policy he may advocate.

When it comes to the question of whether or not I am trying to obtain something for the benefit of the people of Oregon, let me say that I do not want a benefit for the people of my State that people of other States under the same fact situation do not receive. I want the same advantages and benefits to go to all people in our Republic, so they will receive uniformity of treatment.

One reason why I have offered the amendment in its present form is to emphasize the point I am making, and that is that, from the standpoint of the people of my State, they are receiving discriminatory treatment to their disadvantage.

I hope we can arrive at some resolution of the problem. One place where we may end in disagreement is over the question of the power that may be vested in the Secretaries. Irrespective of what the formula is, percentagewise or otherwise, I do not want to give to the Secretaries blanket authority to condemn personal property for the alleged purpose of the objectives of the wild rivers bill without some check upon them.

The proposal which I shall offer tomorrow, and allude to tonight, which is not included in this amendment, will not be language that will be to the benefit of the Secretaries, but it is our clear duty to make our system of checks and balances apply in relation to the executive branch of Government, just as it has checks on the legislative branch.

I do not like what I think is the basic power that is given to the Secretaries herein to condemn without a showing in fact under the criterion of public necessity with respect to the property proposed to be condemned.

Whenever either Secretary has made a good faith effort to purchase property, when they can show that the property sought is essential to the successful operation of the Rogue River portion of the National Wild Rivers System, and can demonstrate that the property cannot be acquired for a fair and reasonable price, the Senator from Oregon would be willing to assist them in every way possible to obtain passage of the requisite specific condemnation authority.

Mr. President, I ask unanimous consent that there be inserted in the RECORD at the close of my remarks a report from the Acting Comptroller General, dated December 28, 1965, which shows the extent to which the Government has used condemnation and exchange, plus donation and purchase, on all 45 national park or recreational areas created since 1955.

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

(See exhibit 1.)

Mr. MORSE. Mr. President, condemnation has been used only five times. The circumstances are such as to raise a most serious doubt as to its immediate need in the Rogue River area.

On December 30, 1965, Assistant Secretary of the Interior Anderson advised me:

> With respect to the Rogue River Wild River area which would be authorized by S. 1446 as reported to the Senate, the Bureau of Outdoor Recreation has identified 136 private tracts in the section of the wild river which would be administered by the Bureau of Land Management. The particular uses are set forth in attachment B.
>
> A total of 984 acres of private land is involved. Land values along this reach of the Rogue are now computed by the front foot. According to a recent estimate by the Bureau of Land Management, $40 a front foot is the current value for the fee title. The Bureau of Outdoor Recreation in cooperation with the Bureau of Land Management and the Forest Service is reexamining the land acquisition costs for the proposed Rogue River Wild River. When this reexamination is completed we will inform you * * *.

The Secretary continues:

> In sending the executive communication of March 3, 1965, which became S. 1446, we attached "Wild River Summary Statistics (Tentative)" found on page 12 of the hearings. On April 22, 1965, Secretary Udall testified. He also filed a prepared statement, the Rogue River portion of which appears on pages 66 and 67.
>
> Please disregard any breakdown of the figures in these two documents respecting mode of acquisition, particularly those pertaining to exchanges. The acreages identified for exchanges were field estimates of the possible acreage that might be acquired by exchange. They have no reference to any specific tracts. To our knowledge no persons have approached Interior officials regarding exchanges nor have any officials of the Department discussed with landowners whether exchanges would be sought.

Thus, the plans for private land acquisition in the Rogue River area are not firm, and with about 60 percent of the river already in public ownership, I am convinced that the donation and purchase authorities are adequate for the present.

I would be willing, when the studies are complete, when a full report has been made to the Congress, and after purchase efforts have been undertaken unsuccessfully, to consider condemnation for the acquisition of essential fee simple titles in such cases.

Section 4(f) of S. 1446 provides that either Secretary may:

> Acquire by condemnation for scenic easements * * * an area which extends no

more than 1,320 feet from either side of the stream, tributary, or river.

The term "scenic easement" is described in general terms under section 4(c) of S. 1446, but, its precise nature is not disclosed as it relates to the Rogue River. Whatever a scenic easement is, it withdraws from the owner of the land one of the sticks comprising the "bundle of sticks" which the lawyers use to characterize fee simple ownership. Therefore, my amendment would prohibit the condemnation of scenic easement of the type described in section 4(f) and would relegate the parties to arms length negotiations over such interests in privately owned land.

This concludes my remarks on the first portion of my amendment, namely, that which relates to the issue of condemnation. My plea is that we eliminate, at least for the time being, any power of condemnation for the Rogue River segment of the National Wild Rivers System and that we eliminate it as effectively as condemnation has been eliminated for the Idaho segment. There is no doubt that condemnation may be undertaken for public necessity purposes, but it is my contention that we have not demonstrated that public necessity at this time in connection with S. 1446 really is established. It is always an issue of fact as to whether under a given set of operative facts there is a public necessity for condemnation. I respectfully submit that public necessity has not been demonstrated in this case with respect to the Rogue River area at this time. Therefore, I urge that condemnation not be permitted in acquiring private lands in the Rogue River segment of the Wild Rivers area and that my amendment prohibiting condemnation be adopted to protect private property ownership interests in the area until such time as compelling and urgent necessity for condemnation has been demonstrated.

I discussed, at length, the issue of condemnation, as it applies to Federal park projects, when I appeared before the Senate Subcommittee on Parks and Recreation on July 20, 1965.

Mr. President, I believe it should be in the RECORD at the close of my speech today, and, therefore, I ask unanimous consent that there be printed in the RECORD my testimony before the Senate committee of some months ago in regard to my views on condemnation, relating at that time to the problem of condemnation in relation to the Oregon Dunes Park bill.

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

(See exhibit 2.)

Mr. MORSE. Mr. President, I should like to discuss the exchange section of the bill so it will be in the RECORD for review by Senators tomorrow.

EXCHANGE

The second portion of my amendment would exclude the use of land exchanges in the Rogue River area. Again, the Comptroller General's report which I have inserted in the RECORD, shows very limited use of this authority. Only two instances are noted.

The exchange provisions of S. 1446, as set forth in section 4(c), are extremely broad. They would encompass O. & C., national forest, and public domain timberlands in Oregon.

Recent events in Oregon regarding a proposal to consider an exchange of Bureau of Land Management public domain timberland for private lands within the boundaries of the Point Reyes National Seashore in California lead me to conclude that inclusion of this provision will only produce endless and needless controversy in my State. In fact, the Department of the Interior has become involved in my State in a most disruptive political controversy with leaders of the Republican Party, as well as with many leaders of the Democratic Party, over some very serious charges that have been hurled against the Department of the Interior on the subject of a suggested proposal to trade Federal public domain lands in Oregon for private lands within the boundaries of the Point Reyes National Seashore Park in California.

To date, I have not reached any final conclusion in respect to the very serious charges that certain political leaders in my State have made against the Department of the Interior. When this political storm broke on April 26, 1965, in Oregon, I called upon the Secretary of the Interior to submit a memorandum to me setting forth the Department of the Interior's answers to the serious allegations that were being made against the Department's handling of the Point Reyes National Seashore land exchange negotiations.

On May 12, 1965, I placed in the CONGRESSIONAL RECORD the memorandum supplied by the Secretary of the Interior. At that time, I said that I thought the memorandum showed that the Department had acted in good faith. I indicated that I had received no evidence substantiating any allegation that the Department had acted in bad faith. I closed my observations on the memorandum by stating that there was no basis for trying to compare this exchange matter with the notorious Al Sarena case of a decade ago.

The memorandum of the Secretary of the Interior did not satisfy the critics of the Department of the Interior in Oregon and they have continued to criticize the Department of the Interior in relation to this land exchange problem. They have threatened to make the land exchange policies of the Department of the Interior a political issue in the 1966 campaign. After I had received a number of communications from Oregon in regard to this controversy, I asked the Acting Comptroller General of the United States in a letter dated October 15, 1965, to make an investigation for me of the very serious charges that are being made against the Department of the Interior in Oregon in regard to the Point Reyes National Seashore exchange problem. That study is being made. When I receive the study from the General Accounting Office, I intend to submit it to the Senate Committee on Interior and Insular Affairs and to the Secretary of the Interior, the Governor of Oregon and, of course, I shall make it a public document in my State.

At the present time, while a controversy on land exchanges is raging in my State, I think it would be most unwise for the Senate to pass a bill containing a provision that would authorize the Secretary of the Interior to make land exchanges involving Public Domain, Forest Service, and O. & C. lands.

As the Senate knows, O. & C. lands are of vital importance to every county of my State in which they are located because these lands are a source of revenue for those counties.

I respectfully warn the Senate today that if this bill becomes law with the land exchange provisions in it, prior to the time that the present serious controversy in my State regarding land exchange policies of the Department of the Interior has been resolved, the Senate, through this bill, will do naught but throw political gasoline on an already spreading political fire. My amendment might be described as a "political fire extinguisher" which is very much needed in Oregon.

In my opinion, the present controversy in my State over Department of Interior land exchange policies can be resolved amicably, but the passage of this bill, with the proposal to broaden the land exchange policies of the Secretaries, will serve only to raise serious doubts in my State as to the wisdom of leaving present land exchange authority of the Secretaries as it is now, without any further check, to say nothing about adding to their land exchange authority which would be achieved under this bill.

This type of exchange provision entered park legislation for the first time in 1962 as part of the Point Reyes Act. It has not worked well there and it has not been used in the other acts to any extent.

We have a pressing need for a review of how this exchange provision is operating under the existing acts and how it can be used before we load up other bills with it. So for Oregon, I want this provision out.

On the subject of the land exchange provisions of this bill, I take the same position I did with respect to condemnation. When the facts are in, the studies are complete and purchase and donation efforts have been properly applied, there may be instances where exchange authority would prove useful.

The Bureau of Land Management is undertaking an extensive classification of all of its lands as a result of the Classification and Multiple Use Act passed last year. This will help reach a determination of disposable public land, but in my opinion we would be acting prematurely if we were to authorize extremely broad exchange authority in this bill prior to the completion of the classification studies.

I supported the classification and multiple use bill and I support this concept of classification. I am confident that if the Secretary finds that some land falling in the disposal group is desirable for exchange, he has ample authority to hold the land in status quo, providing he has

a bona fide exchange opportunity, until the authority can be obtained.

On December 17, Secretary Udall wrote to me at length on this subject. He said he has a very negative attitude toward exchanges for Oregon Dunes. He told me he needs "an exchange provision in the wild rivers bill because section 8—of the Taylor Grazing Act—is inapplicable to many areas involved." I presume he refers to the Eleven Point River since all the other rivers are in public land States.

The Secretary also indicates he will not exchange any needed timber lands, and this is what he has in the vicinity of the Rogue. The Secretary may not, by a committee amendment appearing in section 4(c), exchange National Park or Wildlife Refuge lands. The Secretary says he will not exchange O. & C. lands although this bill does not prohibit such exchanges. However, an exchange of public domain timber land would produce equal problems because their allowable timber cut is tied together. There is no language in the bill which prevents the Secretary of the Interior from exchanging O. & C. lands; on the contrary it gives him the authority to do so. When I make this comment I am not speaking about Secretary Udall as an individual, but I am speaking about the Office of the Secretary of the Interior.

Every Senator knows that Cabinet officers and other public officials in policy making positions frequently change their minds. Furthermore the proposal is to adopt the exchange provisions of the pending bill, not for the term of office of Secretary Udall, but as permanent legislation. Therefore, I respectfully submit that Secretary Udall's letter where he says what he will not do under the bill is completely irrelevant to the question at hand; namely, should these condemnation and land exchange authorities vested in the Secretary of the Interior be written into the law of the land?

The Secretary of the Interior himself has, on occasion, changed his mind in regard to public land policies, as he has a perfect right to do. Under our system of checks and balances, it is clearly the duty of Congress to so write legislation that it leaves no room for doubt as to the limitations of an executive officer's authority under the law.

In a press release issued by the Secretary of the Interior on January 7, 1966, he announced a change of Department of Interior policy with respect to land acquisitions on the Grand Teton National Park. I highly approve of the decision he reached in respect to this matter, but Congress never should have put him in the position where he could exercise unchecked condemnation power. What he has done on January 7, 1966, his successor can undo or for that matter he can change his mind again at some time in the future. As I have said many times in the Senate, Congress should be very wary of granting in legislation broad arbitrary discretionary powers to administrative officials in the executive branch of the Government.

It is leading to government by executive supremacy in this Republic.

Let me read from Secretary Udall's press release of January 7:

LAND ACQUISITION POLICY APPROVED FOR GRAND TETON NATIONAL PARK

Secretary of the Interior Stewart L. Udall approved today a land acquisition policy governing purchase of privately owned land within the boundaries of Grand Teton National Park in Wyoming.

This policy is designed to protect the interests of the owners of private lands in the park, while, at the same time, affording greater economy to the Government and insuring the preservation of the incomparable beauty of the park. Under this new policy the National Park Service will not seek to acquire private lands within the park, without consent of the owner, so long as the lands continue in the same use as is now being made of them. The lands may be sold with the new owners assured of this same privilege.

The policy assures landowners that they and their successors may continue to use their properties in substantially the same manner as they have in the past.

Under this new policy, condemnation proceedings will be instituted to acquire lands within the park only if it becomes necessary to prevent a change in the use of the lands that would be detrimental to the park values.

Grand Teton National Park was established in 1929 and enlarged in 1950 to preserve the Jackson Hole country, a region rich in the traditions of the Old West and unsurpassed in scenic grandeur.

Mr. President, I ask unanimous consent that the explanatory material of January 5, 1966, accompanying Secretary Udall's January 7 press release, entitled "Land Acquisition Policy at Grand Teton National Park" be inserted in the RECORD at this point in my remarks.

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

LAND ACQUISITION POLICY AT GRAND TETON NATIONAL PARK

Grand Teton National Park was established in 1929 and enlarged in 1950 to preserve the scenic, scientific and historic resources of Jackson's Hole, a region rich in human history and unsurpassed in scenic grandeur.

Since its establishment, many parcels of privately owned property have been acquired by the Federal Government to facilitate the development, management, and interpretation of the park for increasing thousands of annual visitors. Today, only about 7,500 acres of land remain in non-Federal ownership within the exterior boundaries of the park.

The present uses of this privately owned land, such as for modest homesites, ranches, limited eating establishments, dude ranches, etc., are historical in the development of the valley and these should be allowed to continue until such time as there is a desire on the part of the owners to dispose of their holdings, or until there are plans to alter or change present uses so significantly as to make them incompatible with the primary purposes for which the park was established.

Accordingly, so that present and future owners of private property within the park may be fully advised of the policy of the United States with respect to its land acquisition program in Grand Teton National Park, this statement of policy is issued as a public document:

The National Park Service will not seek to acquire private inholdings within Grand Teton National Park without the consent of the owner, so long as the lands continue to be devoted to the uses now being made of the lands. This applies to the present owners and to any future owners of the property. The present owners are at liberty to dispose of their property just as a private landowner anywhere else may do. Subsequent owners may be assured that the National Park Service will take no action with regard to acquiring the properties without their consent so long as the properties continue to be used for the same purposes as at the time of this statement.

The National Park Service will continue to welcome offers from the owners to sell privately owned properties to the United States, and it is hoped that the owners will give the Service the first opportunity to purchase them. If an owner wishes to sell his property outright, the Service would be glad to negotiate on that basis. On the other hand, if an owner wishes to retain use and occupancy rights for a given number of years or for the remainder of his life and that of his spouse, this can be negotiated. The latter situation will enable people who desire to obtain money in hand today for their property, with occupancy rights for a term of years or for their lifetimes, to work out a negotiated contract on this basis.

If present uses of properties are to be changed and the properties are to be devoted to new and different uses not compatible with the primary purpose for which the park was established, the National Park Service will attempt to negotiate with the owner for the acquisition of the property in order to avoid the development of a use adverse to the management of the park. In the event all reasonable efforts at negotiation fail and the owner persists in his effort to devote the property to a use deemed by the National Park Service to be adverse to the primary purpose for which the park was established, the United States will institute eminent domain proceedings to acquire the property and prevent such development.

Mr. MORSE. Mr. President, when I testified before the Senate committee, not only during the past year, but even before that, I discussed at some length the ownership of private property in national park after national park. I discussed the ownership of private property to the extent of many thousands of acres within the boundaries of so-called public domain reservations.

I have always been at a loss to understand why there is such strong opposition on the part of some to my proposal to limit the Secretary of the Interior in the case of the Oregon Dunes National Seashore bill to the taking by purchase of private land, and if he fails to negotiate the purchase of private land, to require him to ask for specific legislation governing the specific pieces of private property for acquisition by way of condemnation, which places upon him the burden of proof of establishing public necessity.

I speak respectfully and impersonally about an office, not about an individual. We make a great mistake in public policy when we give to any agency in the executive branch of the Government blanket authority to condemn property without requiring the holder of that office to establish, in the specific case involving a specific piece of property, that the criteria of the law of public necessity are present. I do not believe we should give such sweeping powers to

the Secretary of the Interior in this case, in the Oregon Dunes case, or in any other case.

Therefore, a change in the formula so far as its percentage is concerned does not meet the essence of the objection of the Senator from Oregon in regard to condemnation. But adopting the suggestion I make by way of a limitation upon the two Secretaries in respect to denying them blanket condemnation authority in no way denies the adoption of a wild rivers program. I am for a wild rivers program; but I believe we ought to plan its administration without granting blanket exchange or condemnation authority to either of the Secretaries involved. Therein lies the difference with the committee.

I may say, as a special pleader, but as one who has a right to plead specially, because of the special circumstances that exist in my State, that when I am dealing with a serious public question in my State that is hinged on the undeniable fact that more than 50 percent of the real estate in my State is owned by the Federal Government, it is important that the type of protection I seek in regard to fee simple rights be recognized by the Senate, and that consideration be given to the amendments I offer. Oregon is a special case in relationship to a majority of the States of the Union. In most States of the Union, the percentage of public domain Federal ownership of the real estate of my State does not exist. That is why I make the plea.

If it were a case of the Senator from Oregon being opposed to parks; if it were a case in which the Senator from Oregon were opposed to any and all land exchanges under any and all circumstances; if it were a case in which the Senator from Oregon said that under no circumstances should the Secretary of the Interior or the Secretary of Agriculture ever be given authority to condemn property, I ought to be out of court, looking upon the Senate as a court in that sense. But that is not my position.

Mr. President, in my judgment, the Secretary of the Interior in the Dunes case, and the Secretary of the Interior and the Secretary of Agriculture in this case would ultimately be able to get every acre of land that they really need with which to carry out the laudable objectives of both bills if they could establish a case. However, I do not intend to vote to give them the arbitrary and discretionary power to say that they made the findings and that we do not have the authority to do anything about it. The courts have held time and time again that the decision of administrative officers in such cases are final.

I have already obtained consent to have printed in the RECORD, following my major remarks, the testimony that I presented to the Senate committee, setting forth the decisions of the U.S. Supreme Court and other courts, sustaining the point I have just made.

There is no question about my position on the law in respect to this matter. I am only asking for the protection that many in my State want to obtain. It is my duty to represent them, and it is my duty to try to get it in the way of legislation, if possible.

Mr. President, denying the senior Senator from Oregon the changes in this bill and in the Oregon Dunes bill, thinking that they have been swept under the rug by passing the legislation denying me those changes will not settle this controversy in the State of Oregon. I want to settle that controversy.

I say most respectfully to the Members of both parties in the Senate that I just do not think it is in the public interest for this controversy to continue to rage, as it will continue to rage unless we can work out an equitable solution that will give to these fee simple title owners the protection I seek.

I have no doubt whatsoever that if the Secretary of the Interior in regard to the Dunes matter, and both Secretaries in regard to this bill, would relax a bit in regard to their apparent insistence that they be given this blanket authority and recognize that they, too, owe a responsibility to this administration and this country to try to resolve this matter on a more friendly and equitable basis, and would sit down with those of us who hold to the point of view I have expressed, we could work out a condemnation and exchange procedure and formula that would protect the public interest in the laudable objectives of this bill and the Dunes bill.

That has been my plea. It will continue to be my plea. I will plead for it on the floor of the legislative body. However, if I find that there is no alternative but to plead for it also on the political platforms of my State, I will do that, too.

I believe in the basic, inherent right of the people of the States to govern themselves and determine their own policies and elect those who follow a course of action that will protect what the people want.

I have no doubt that in the campaign coming on in 1966, there will be those who will make political issue of a good many facets of these controversies. To avoid that and get the facts before my people, I asked the Comptroller General of the United States to look into the matter of exchanges. That is why I have worked as long and hard in trying to reach a satisfactory compromise, a conscionable compromise on the condemnation problem involved in the Dunes case. The question now rears its head to a certain degree in this case. That will continue to be my record. I do not believe that these are problems that ought to be forced to solution on the political platforms of my State.

I believe, as the senior Senator from Oregon, that careful consideration should be given to the plea I am making for an acceptable solution.

When I say what I say now, I imply no criticism. Senators know the pace of work that I accomplish. When the matter involving the Rogue River was under consideration, I did not know about it. I was never consulted by the Department of the Interior or by the Department of Agriculture. I was unaware that the matter was being considered by the committee. It can be said that someone ought to have told me. However, I am only looking at the fact that they did not.

There were field hearings in some States. I found out last week, when critics in my State talked to me about this bill, that there were no hearings in Oregon. They are rather critical of the fact that the opposition to the bill with respect to the Rogue River issue was never put to public hearing in my State.

There were hearings in most of the other States. I understand that there were public hearings back here for 2 days. They came and went without the senior Senator from Oregon knowing about it.

I am not criticizing anyone. I know what my record is on committees. I know, as a committee member, that I would want to know what the views of the elected officials of the State of Oregon or any other State were in regard to any issue as controversial in nature as this one.

I am in a very difficult position in Oregon, as I found out last week, to understand why a record was not made against the authority which is sought to be given to the Secretary of the Interior and the Secretary of Agriculture, which I have protested here tonight.

I have faith in my colleagues. I refuse to believe that those in charge of the bill and the leadership of the Senate will let this matter pass the Senate without reaching a satisfactory and conscionable adjustment of the problems that are being raised by my constituents, pleading for a change in the language of the bill.

I believe the sound course in Oregon is to eliminate exchanges for the time being. As I have already explained, because of events that transpired early last year on an exchange proposal in Oregon, involving Point Reyes and Curry County lands, and because of an investigation of the facts of this case by the General Accounting Office which was undertaken at my request, we should let the atmosphere clear before taking an important step in Oregon in the field of Federal land-private land exchanges. The GAO report will, I hope, give us the facts of the Point Reyes-Curry County land exchange proposal, in contrast to the serious charges that were disseminated in the daily press of Portland and other parts of Oregon.

It is also important to note that the same arguments about the weakness of figures apply in the matter of land exchanges cited by Assistant Secretary Anderson in his letter of December 30.

As I mentioned above, the Assistant Secretary of the Interior stated that no specific tracts have been identified for exchanges; no persons have approached Interior officials and no Interior officials have approached landowners regarding exchanges.

But even more significant is the fact that the figures supplied to the committee are meaningless estimates and we are asked to disregard them. Thus, the Department does not even know what it may want to exchange. Nor does the Department know which of its valuable lands someone will seek out via exchange.

A CAVEAT FOR THE CONSERVATIONISTS

Let me emphasize that this concept of exchanging public domain and other lands for parks started only in 1962.

Well what does it mean? It is a "pig in a poke" for conservationists and in short order they may be saying that its use is only a little better than getting "a stick stuck in the eye."

What is wrong with the idea that it is based on the thin concept that all the public lands are exchangeable. They are not. Some are timbered and thus essential to the allowable cut; others are grasslands or important water holes and vital to a grazing leasee. Others are key parts of a watershed, or vital hunting access lands. In short, the fact is that the public lands are being used and events that unsettle these uses can create great problems.

Now it is one thing to exchange timber land for timber land, or grazing land for grazing land. But this bill proposes bartering land for parks.

The Oregon Multiple Use Advisory Board of the BLM addressed itself to the subject last August 4 and resolved to oppose exchanges. It indicated it wants lands for parks acquired by purchase, not by exchange.

I say most respectfully that my good friend the Senator from Washington [Mr. JACKSON], chairman of the Committee on Interior and Insular Affairs, was a little surprised to find that there was opposition in my State to this bill. The Oregon Multiple-Use Advisory Board of the BLM addressed itself in opposition last August 4 to the whole concept of exchange.

With few exceptions it thinks exchanges should be "for lands of like kind and character." It wants lands classified for disposal and it wants exchanges to improve the land pattern. I ask unanimous consent that this resolution be inserted in the RECORD at this point in my remarks.

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

RESOLUTION OF OREGON MULTIPLE-USE ADVISORY BOARD, AUGUST 1965

To respond to Senator MORSE: Be it

Resolved by the Oregon Multiple-Use Advisory Board, That, this board opposes the unlimited power granted the Secretary of the Interior to exchange without limitation BLM land for lands within the boundaries of the Oregon Dunes National Seashore as proposed by the addition of section 2B to Senate bill 250;

That this multiple-use board opposes in principle the removal of any public timberland from sustained yield either in the county where the Oregon Dunes National Seashore is proposed, or elsewhere; be it further

Resolved by this multiple-use advisory board, That in the event any sustained yield forest area be exchanged for dunes lands that such forest lands be required to be maintained on a sustained yield basis of production;

That in explanation of the foregoing resolution said Oregon Multiple-Use Board resolves as follows:

That national parks and other areas of single purpose use, in general, be acquired by purchase and not by exchange and that any exchange in connection with the acquisition of lands devoted to a single purpose be accomplished only after approval of the people in the area affected;

That this board is dedicated to the principle of multiple use on all publicly owned lands and that with rare exception this board believes that each acre of publicly owned lands should provide the greatest possible diversity of uses;

That this board does not oppose all exchanges as such but recognizes that some exchanges may be in the public interest and in the interest of the owners of non-Federal lands offered for exchange;

Further that each proposed exchange must be fairly examined and the impact on the economics of the area from which the non-Federal lands shall come, shall be considered along with the impact upon the area from which the Federal lands shall come;

That generally and with few exceptions, the exchange of lands shall be for lands of like kind and character;

That no exchange shall be across State lines;

That of the lands finally classified for disposal they shall be first used in exchanges for non-Federal lands which will best improve the public land pattern and its uses before public sale is considered;

That in the event of public sale the owner of adjoining or adjacent lands shall be given the privilege of meeting the high bid; be it

Resolved, That a copy of this resolution be furnished the Secretary of the Interior, the Oregon congressional delegation, the O. & C. advisory board and the Public Lands Committee of the Oregon State Legislature.

Mr. MORSE. Mr. President, Mr. Max Ruge of the Weyerhaeuser Co., Klamath Falls, sent me a very comprehensive statement on exchange and I ask unanimous consent that his letter be included at this point in my remarks.

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

WEYERHAEUSER CO.,
Klamath Falls, Oreg., January 10, 1966.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: BLM State Director Russell Getty has asked that I personally express to you my thoughts on your letter to him dated October 21, relative to exchange provision of two bills affecting Oregon which are currently before the Congress.

First I want to point out that in the past, exchanges of forest land in this region have been used primarily for the purposes of mutual consolidation for more efficient forest management. In these types of exchanges the private owner, the Federal agency and the public can all gain.

The types of exchanges as outlined in the Oregon Dunes and wild rivers bills are somewhat different in that they permit a public agency to exchange Federal land for putting together parks and recreational areas which limit or prohibit any commercial use.

Many people feel that public agencies should not use the exchange process to avoid the appropriation process. Is there not some danger in bypassing congressional scrutiny by the exchange route instead of purchasing the lands? If, however, the exchange method is used it should be mandatory that the lands be replaced by publicly owned lands of equivalent value.

The amendatory language of section 2(b) of S. 250 excepts O. & C. and Coos Bay Wagon Road lands from being exchanged. This is an attempt to prevent disposing of public lands which are under sustained yield management. This motive, we agree, is laudable but in reality this would leave principally public domain lands available for exchange.

The public domain lands in western Oregon are presently managed the same as O. & C. lands and their timber is included in computing the allowable cut. Therefore, any disposition of public domain lands would also affect the allowable cut from public lands. In many cases this may mean merely transferring lands from public sustained yield to private sustained yield but this may not always be the case. The hard fact is, that in making recreational "set-asides" from commercial forest land, some impact will be made on the local economy. Whether the recreational facility so established will balance out this loss is a decision that must be carefully weighed by the Federal agencies and local governments.

I would suggest that a provision be made in the language of S. 250 to include that the county commissioners of the counties involved also be consulted. Also, provisions should be made for public hearings to be held in the local area.

As to S. 1446, the wild rivers bill, this proposal would give exchange authority to the Secretary of Agriculture as well as to the Secretary of the Interior. Exempting O. & C. lands alone would not prevent possible allowable-cut reducing exchanges if national forest lands were still included. If both types of land were exempted, here again about the only lands available would be public domain. The same comments made about public domain lands in S. 250 would apply here also. Here again the basic fact remains that if managed forest lands are removed from multiple use and dedicated to single-use recreation areas, some decrease in the allowable cut will occur.

Here also it would be well to make provisions for public hearings and consultation with county commissioners and advisory boards. This would help insure that whatever decision is made on an exchange will be equitable and have the minimum effect on the local economy.

As to the question of what effect there would be on the allowable cut if the Rogue River were to be designated as a wild river, you might not know that the Medford district of the BLM, which has jurisdiction over much of the land bordering the Rogue in the Galice area, has already withdrawn from timber cutting a strip of land along the river. They did this with the concurrence of their local advisory board and the county commissioners. This withdrawal meant a reduction in the district's allowable cut of 2 million feet a year.

On the lower river the U.S. Forest Service has consummated trades with U.S. Plywood in order to consolidate the U.S. Forest Service lands bordering the river. They have also created a scenic strip along the river which I believe is excluded from their allowable cut. So, actually designating the Rogue as a wild river would probably not have a significant effect on the allowable cut over what has already taken place.

In conclusion, Senator, it seems to me that both the dunes and the Rogue are adequately protected and managed for recreation now. In a State with almost 56 percent of its land area in public ownership, why risk upsetting both private and public sustained yield plans to do something which is already being done?

Very truly yours,

MAX RUGE,
Member O. & C. Advisory Board.

Mr. MORSE. Mr. President, I note that his view differs from that of another Weyerhaeuser man, Mr. Bernard Orell, whose statement in support of exchanges appears on page 168 of the hearings of

April 22, 1965 on the Wild Rivers bill. He was testifying as chairman of the Forest Industries Council. The council, according to Mr. Orell, wants to require exchanges for land acquisition, where feasible, to help keep down the cost of Federal acquisitions, protect the tax base and assure a continued supply of forest products.

On the other hand, Mr. Ruge points out that forest land exchanges for more efficient management have been used advantageously in the past.

He questioned their use in the wild rivers situation, as well as in Oregon Dunes.

He stated well the case for review and report to the Congress on the exact impacts of this proposal that will authorize the bartering away all manner of Federal lands for parks.

As the Department submitted its bill the Secretary could have traded off part of Crater Lake Park to create the wild river.

The committee wisely reduced his authority by knocking out parks and wildlife refuges.

But in Oregon, this is not enough. The O. & C. lands, the public domain and the national forests bring more benefits to Oregon and mean more to our economic and our recreation growth, than do parks.

So conservationists should take very careful note, in their enthusiasm for parks, that the Nation's great conservation base, the national forests, public lands and O. & C. lands with their multiple-use programs are not traded away for parks.

Mr. President, I wish to repeat what I have been heard to say before; namely, that I am in favor of parks. However, let us buy them. Let the Federal Government pay for them out of the Federal Treasury. Then we will know what we are getting and what we are paying for. Then we will avoid the type of explosive controversy that has broken out across my State as a result of the differences that have developed over the Point Reyes Park exchange.

I am glad to have Secretary Udall say to me, in a letter, that he is not enthusiastic about land exchange in connection with the Dunes Park.

I judge that there is some waning of enthusiasm in the Department of the Interior for land exchanges generally. I hope so. All I am interested in is a policy. What I am interested in is that the Department of the Interior, through its Secretary, be willing to write into the law the protection that these fee simple owners are entitled to.

NEED FOR THE BILL

To me the important thing is to pass a bill with sufficient authority to establish the wild rivers concept.

The committee has done an excellent job with a difficult situation. I want to vote for the bill because I support its broad recreation and conservation principles. I do not want to ask the manager of the bill to take an amendment that affects wild rivers areas in other States.

The Senator from Idaho has my pledge of support for the inclusion of these two minor acquisition authorities—condemnation and exchange—at the proper time, if needed and if the circumstances warrant.

I ask unanimous consent to insert in the RECORD at the conclusion of my remarks, various items which show the concern that exists in my State on these two issues.

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

(See exhibit 3.)

Mr. MORSE. Mr. President, I believe I owe it, not only to the Senator in charge of the bill and the chairman of the full committee and the members of the committee, to the minority, which has filed its reasons for opposing the bill, and to the leadership of the Senate also, to say that tomorrow—I hope we can dispose of it tomorrow, because I have no disposition to prolong the debate on the bill beyond the time necessary to make the RECORD—we can reach some adjustment of our differences.

If it should come to the point where we cannot, I do not want anyone to say that I did not tell in advance what I believe to be my clear duty, as the senior Senator from Oregon, to do parliamentarily in trying to protect the interests of the people of my State—I and those opposed to the bill—unless it is changed to protect the interests involved.

I shall offer an amendment, if it is necessary, to place the Rogue River under the study program.

In view of the controversy that exists, and in view of the great differences of opinion that exist in my State over condemnation and exchanges, the Rogue River ought to be included among other rivers that have been included in the section of the bill that calls for a study.

It has been done in connection with the Green River in Wyoming. It has been done with regard to the Skagit River. As the Senator from Washington has said, he had nothing to do with it. I did not say he had anything to do with it. I did not mean to imply that he had anything to do with it.

Nevertheless, the Rogue River should go into the study section of the bill.

Mr. President, I say most respectfully that I do not know of any river that calls for being placed under the study program more than the Rogue River.

I would prefer to eliminate the exchange and condemnation provisions so as to protect the rights of my constituents, without having to go to a study program; but, Mr. President, we cannot separate the Rogue River from the need for more careful analysis of such condemnation problems. Also, I believe that much can be said for putting the Rogue River under a study project, in view of the very heated political furnace which is being stoked in my State by those seeking to attack the administration on the basis of certain charges that they have made against the administration and in regard to which I have asked for the proof.

To date, I have not received the proof, and for that reason I have asked the Comptroller General to investigate the whole exchange problem involved in the Point Reyes-Curry County situation and to see whether there is any proof of any malfeasance on the part of any Federal official of the Department of the Interior who was involved in the matter of exchanges in connection with the Point Reyes Park issue.

Mr. President, I am sorry to have taken so much time, but it is better to take the time tonight so that the information will be available to Senators tomorrow, when—I am hoping, at least—it will expedite the handling of the case tomorrow.

Let me say to my good friend the Senator from Idaho, as I stated in the beginning, that I shall not ask for any action on my amendment to the committee amendment tonight. Rather, I prefer that some time elapse so that Senators can read the statements I have made on behalf of the people of my State, in the hope that we can come to a common understanding and make it possible for me ultimately to vote for a revised bill.

Mr. President, I yield the floor.

Mr. CHURCH. Mr. President, I also hope that it will be possible for us to make some adjustments in the bill, to reach what the Senator from Oregon has described as a conscionable compromise as to the issues he has raised on the floor of the Senate this evening.

The Senator from Oregon can be assured of my best effort in this regard, and I hope that some agreement can be reached.

EXHIBIT 1

COMPTROLLER GENERAL
OF THE UNITED STATES,
Washington, D.C., December 28, 1965.

Hon. WAYNE MORSE,
U.S. Senate.

DEAR SENATOR MORSE: Herewith is the information you requested in your letter of November 15, 1965, concerning the land acquired for each national park or recreation area created since January 1, 1955.

From January 1, 1955, to September 30, 1965, 45 areas administered by the National Park Service (NPS) were created. The areas were created either by statute, by Presidential Proclamation, or by order of the Secretary of the Interior. For areas which were authorized by statute, the gross acreage in all cases was limited to either a specific number of acres, a maximum number of acres, a specific site and adjacent lands, or a defined boundary. For areas designated by Presidential proclamation, or by an order of the Secretary of the Interior, the gross acreage was specified in the authorization.

The information contained in the attached schedules was obtained from the latest information available from the records of the National Park Service in Washington, D.C. To ascertain that title had passed to the United States for lands listed as federally owned, deed files or other authenticating documents were examined. In instances where such files were not available in Washington, statements of responsible Park Service officials were accepted. In several instances, the gross acreage reported is based on estimates made by the National Park Service.

As stated in your request, we did not reveal to officials of the National Park Service our purpose for gathering the information you requested. We trust that the information furnished will serve your purposes.

Sincerely yours,

FRANK H. WEITZEL,
Acting Comptroller General of the United States.

Areas administered by the National Park Service created during the period from Jan. 1, 1955, to Sept. 30, 1965

Name of area and State	Date of authorization	Acreage at Sept. 30, 1965			At the date of authorization by Congress			Acres acquired since date of authorization				
		Gross	Federal	Non-Federal	Gross acreage	General description of land	Acres non-federally owned	Donation	Purchase	Condemnation	Exchange	Total
NATIONAL PARKS												
Canyonlands National Park, Utah	Sept. 12, 1964 (Public Law 88-590).	257,640.00	257,640.00		257,640.00	The land consists of weirdly, eroded rocks, towering spires, and mesas rising more than 7,800 feet.	20,976.40				[1] 20,976.40	20,976.40
Haleakala National Park, Hawaii	Sept. 13, 1960 (Public Law 86-744).	26,402.78	17,130.00	9,272.78	26,402.78	The park area includes the 10,023 foot Haleakala volcano and crater located on the island of Maui.	9,272.78					
Virgin Islands National Park, V.I.	Aug. 2, 1956 (Public Law 84-925).	[2] 15,150.00	11,018.08	4,131.92	[3] 9,500.00	The park is located on the island of St. John with lands consisting of hills, sandy beaches, and tropical plants.	9,500.00	5,086.41	281.67			5,368.08
NATIONAL BATTLEFIELD PARKS												
Wilson's Creek Battlefield National Park, Mo.	Apr. 22, 1960 (Public Law 86-434).	1,730.00	1,007.96	722.04	(4)	The land consists of trails, roads, markers, and buildings from a Civil War battle.		1,007.96				1,007.96
NATIONAL HISTORICAL PARKS												
City of Refuge National Historical Park, Hawaii.	July 26, 1955 (Public Law 84-177).	181.85	180.83	1.02	[5] 181.87	A site consisting of prehistoric houses, royal fish ponds, coconut groves, and shore scenery.	181.87	180.83				180.83
Minute Man National Historical Park, Mass.	Sept. 21, 1959 (Public Law 86-321).	750.00	288.76	461.24	[6] 750.00	A tract of land containing the stone walls, boulders, and other features where the British troops were fired on by the Colonial Minute Men.	741.17	.33	270.42	[7] 9.18		279.93
Nez Perce National Historical Park, Idaho.	May 15, 1965 (Public Law 89-19).				[8] 3,000.00	This designated land of the Nez Perce Indian country of northern Idaho is to be established as a historical park to commemorate the early Indian culture and the Lewis and Clark Expedition through the area.						
NATIONAL MONUMENTS												
Agate Fossil Beds National Monument, Nebr.	June 5, 1965 (Public Law 89-33).	3,105.00		3,150.01	3,150.00	The land consists of numerous well-preserved Miocene mammal fossils.	3,150.00					
Alibates Flint Quarries and Texas Panhandle Pueblo Culture National Monument, Tex.	Aug. 31, 1965 (Public Law 89-154).				(9)	The land consists of flint used by early man to make arrowheads and weapons.						
Booker T. Washington National Monument, Va.	Apr. 2, 1956 (Public Law 84-464).	217.93	217.93		(5)	Site of the birthplace and childhood home of Booker T. Washington, a Negro leader and educator.		199.73	.10	[8] 18.10		217.93
Buck Island Reef National Monument, V.I.	Dec. 28, 1961. Established by Presidential Proclamation No. 3443.	[10] 850.00	850.00			The land consists of a tropical island with a surrounding coral reef.						
Pecos National Monument, N. Mex.	June 28, 1965 (Public Law 89-54).	342.00		342.00	342.00	The land consists of a monument in the headwaters valley of the Pecos River commemorating the Spanish exploration and settlement of the Southwest.	342.00					
Russell Cave National Monument, Ala.	May 11, 1961. Designated by Presidential Proclamation No. 3413.	[10] 310.45	310.45			The cave contains almost continuous archeological records of human habitation from at least 6000 B.C. to about A.D. 1650.		310.45				310.45
NATIONAL MILITARY PARKS												
Horseshoe Bend National Military Park, Ala.	July 25, 1956. (Public Law 84-800).	2,040.00	2,040.00		(11)	The site of the battle of Mar. 27, 1814, on the Tallapoosa River when Gen. Andrew Jackson's forces broke the power of the Creek Indian Confederacy, resulting in white settlement of Alabama.		2,040.00				2,040.00
Pea Ridge National Military Park, Ark.	July 20, 1956. (Public Law 84-744).	4,283.40	4,278.75	4.65	(12)	The scene of one of the largest engagements of the Civil War west of the Mississippi River which occurred on Mar. 7-8, 1862.		4,274.15	4.60			4,278.75
NATIONAL RECREATION AREAS												
Delaware Water Gap National Recreation Area, Pa.-N.J.	Sept. 1, 1965 (Public Law 89-158).				(13)	The land at the site consists of area of and adjacent to the proposed Tock's Island Reservoir project.						
Glen Canyon National Recreation Area, Ariz.-Utah.[14]	April 18, 1958. Interbureau agreement.	1,239,985.16	1,217,078.84	22,906.32		The 3d highest dam in the world, which forms Lake Powell is located at this site.						

See footnotes at end of table.

Areas administered by the National Park Service created during the period from Jan. 1, 1955, to Sept. 30, 1965—Continued

Name of area and State	Date of authorization	Acreage at Sept. 30, 1965			At the date of authorization by Congress			Acres acquired since date of authorization				
		Gross	Federal	Non-Federal	Gross acreage	General description of land	Acres non-federally owned	Donation	Purchase	Condemnation	Exchange	Total
NATIONAL HISTORIC SITES												
Allegheny Portage Railroad National Historic Site, Pa.	Aug. 31, 1964 (Public Law 88-546).	950.00	----------	950.00	[6] 950.00	The project consists of remnants of the Allegheny Railroad of the Pennsylvania Canal which connected the eastern division of the canal (Columbia to Hollidaysburg) to the western division (Johnstown to Pittsburgh).	950.00	----------	----------	----------	----------	----------
Bent's Old Fort National Historic Site, Colo.	June 3, 1960 (Public Law 86-487).	178.00	178.00	----------	([15])	The site was the principal outpost of civilization on the southern plains. The area is gently sloping Arkansas River Valley land.	----------	5.08	172.92	----------	----------	178.00
Chimney Rock National Historic Site, Nebr.	Aug. 9, 1956. Designated by Secretary's order.	83.36	----------	[16] 83.36	83.36	The area includes a campsite and 500-foot spire of rock used by early settlers on the Oregon Trail.	83.36	----------	----------	----------	----------	----------
Edison National Historic Site, N.J.	Sept. 5, 1962 (Public Law 87-628).	20.46	17.96	2.50	[17] 18.26	Land consists of the buildings and equipment used by Edison, which includes his library, papers, and models of some of his inventions. Site also includes Glenmont, the 23-room home of Edison, completely furnished.	2.50	2.20	----------	----------	----------	2.20
Fort Bowie National Historic Site, Ariz.	Aug. 30, 1964 (Public Law 88-510).	900.00	[18] 630.00	270.00	[6] 1,000.00	The site consists of the remaining historic structures of the old Fort Bowie in Cochise County.	----------	----------	----------	----------	----------	----------
Fort Davis National Historic Site, Tex.	Sept. 8, 1961 (Public Law 87-213).	460.00	447.36	12.64	[6] 460.00	The site was once a key post in the west Texas defensive system, which guarded immigrants on the San Antonio-El Paso road.	460.00	447.36	----------	----------	----------	447.36
Fort Larned National Historic Site, Kans.	Aug. 31, 1964 (Public Law 88-541).	750.00	----------	750.00	[6] 750.00	The area consists of the site and remaining historic structures of Fort Larned in Pawnee County and the nearby remains of the Santa Fe Trail.	750.00	----------	----------	----------	----------	----------
Fort St. Marks National Historic Site, Fla.	Oct. 10, 1962 (Public Law 87-789).	([19])	([19])	----------	----------	----------	----------	----------	----------	----------	----------	----------
Fort Smith National Historic Site, Ark.	Sept. 13, 1961 (Public Law 87-214)	14.00	12.35	1.65	[8] 14.00	One of the first U.S. military posts in the Louisiana Territory, the fort was a center of law and order for the lawless regions to the west.	14.00	10.07	2.28	----------	----------	12.35
Golden Spike National Historic Site, Utah.	July 30, 1965 (Public Law 89-162).	2,176.00	----------	2,176.00	[13] 2,176.00	The site of the golden spike ceremony on May 10, 1869, where the Union Pacific and Central Pacific Railroads met to complete the first transcontinental railroad.	2,176.00	----------	----------	----------	----------	----------
Herbert Hoover National Historic Site, Iowa.	Aug. 12, 1965 (Public Law 89-119).	200.00	28.00	172.00	200.00	The land consists of the birthplace, boyhood home, and burial place of the 31st President of the United States.	172.00	----------	----------	----------	----------	----------
Hubbell Trading Post National Historic Site, Ariz.	Aug. 28, 1965 (Public Law 89-148).	160.00	----------	160.00	[6] 160.00	The site was once a trading post used by the reservation traders.	160.00	----------	----------	----------	----------	----------
John Muir National Historic Site, Calif.	Aug. 31, 1964 (Public Law 88-547).	9.20	----------	9.20	9.20	The site is a national memorial to John Muir in recognition of his efforts as a conservationist and a crusader for national parks and reservations.	9.20	----------	----------	----------	----------	----------
Sagamore Hill National Historic Site, N.Y.	July 25, 1962 (Public Law 87-547).	85.00	85.00	----------	[6] 90.00	The site was the home of Theodore Roosevelt from 1885 until death.	90.00	85.00	----------	----------	----------	85.00
Saint-Gaudens National Historic Site, N.H.	Aug. 31, 1964 (Public Law 88-543).[20]	----------	----------	----------	----------	The land consists of the home, studio, and gardens of Augustus Saint-Gaudens, a foremost American sculptor.	----------	----------	----------	----------	----------	----------
St. Thomas National Historic Site, V.I.	Jan. 19, 1961.[21] Designated by Secretary's order.	1.66	1.66	----------	----------	The site consists of Fort Christian, the oldest standing structure in the Virgin Islands. The fort remains essentially the same as when it served as the hub of the early Danish settlement.	----------	----------	----------	----------	----------	----------
Theodore Roosevelt Birthplace National Historic Site, N.Y.	July 25, 1962 (Public Law 87-547).	.11	.11	----------	[6] .11	The birthplace of the 26th President of the United States.	.11	.11	----------	----------	----------	.11

NATIONAL MEMORIALS												
Arkansas Post National Memorial, Arkansas.	July 6, 1960 (Public Law 86-595).	220.60	220.60	----------	(22)	The site consists of land known as the Arkansas Post State Park donated by the State of Arkansas.	----------	220.60	----------	----------	----------	220.60
Fort Clatsop National Memorial, Oregon.	May 29, 1958 (Public Law 85-435).	125.00	124.97	.03	[6] 125.00	The site of the winter encampment of the Lewis and Clark Expedition.	125.00	21.20	103.77	----------	----------	124.97
General Grant National Memorial, N.Y.	Aug. 14, 1958 (Public Law 85-459).	.76	.76	----------	.76	The land consists of a memorial to Gen. Ulysses S. Grant. The tombs of General and Mrs. Grant are located here.	.76	.76	----------	----------	----------	.76
Hamilton Grange National Memorial, N.Y.	Apr. 27, 1962 (Public Law 87-438).	.70	.70	----------	[23] .70	The home of Alexander Hamilton known as the Grange located on 140th St., New York, N.Y.	.70	.70	----------	----------	----------	.70
Johnstown Flood National Memorial, Pa.	Aug. 31, 1964 (Public Law 88-546).	55.00	----------	55.00	[6] 55.00	The land consists of the 2 abutments of the South Fork Dam, east of South Fork and adjacent lands. The area commemorates the Johnstown Flood and the Pennsylvania Canal.	55.00	----------	----------	----------	----------	----------
Lincoln Boyhood National Memorial, Ind.	Feb. 19, 1962 (Public Law 87-407).	200.00	116.39	83.61	[6] 200.00	The southern Indiana farm on which Abraham Lincoln grew from youth into manhood.	200.00	114.49	1.90	----------	----------	116.39
NATIONAL SEASHORES												
Assateague Island National Seashore, Md.-Va.	Sept. 21, 1965 (Public Law 89-195).	39,630.00	9,448.00	30,182.00	[13] 39,630.00	The land consists of the area within Assateague Island and the small marsh islands adjacent to the island.	30,182.00	----------	----------	----------	----------	----------
Cape Cod National Seashore, Mass.	Aug 7, 1961 (Public Law 87-126)	44,600.00	1,739.65	42,860.35	[5] 44,600.00	The land consists of ocean beaches, dunes, woodlands, freshwater ponds, and marshes on outer Cape Cod.	44,600.00	----------	----------	[9] 3.07 [24] 1,736.58	----------	1,739.65
Fire Island National Seashore, N.Y.	Sept. 11, 1964 (Public Law 88-587)	18,700.00	145.66	18,554.34	[13] 18,700.00	The land consists of a barrier island east of Moriches Inlet and several small islands nearby with dunes, marshes, and beaches.	18,700.00	----------	----------	[9] 145.66	----------	145.66
Padre Island National Seashore, Tex.	Sept. 28, 1962 (Public Law 87-712)	[5] 133,918.23	56,225.56	77,692.67	[5] 133,918.23	The land consists of an 80-mile stretch of barrier island along the gulf coast, with wide sandy beaches.	133,918.23	33,545.41	----------	[9] 22,680.15	----------	56,225.56
Point Reyes National Seashore, Calif.	Sept. 13, 1962 (Public Law 87-657)	64,546.00	23,196.74	41,349.26	[13] 64,546.00	The land consists of beaches backed by tall cliffs; lagoons and esteros; and forested ridges on a peninsula north of San Francisco.	64,546.00	10,410.00	11,379.74	----------	[25] 1,407.00	23,196.74

[1] In the exchange, 21,126.01 acres were given. The land obtained was generally rocky-type land. A description of the land given was not contained in the deed file, but it was required to be comparable to the land obtained.
[2] Pursuant to Public Law 87-750, the boundary of the park increased by 5,650 acres.
[3] The maximum acreage provided for in the original statute.
[4] The statute provided for the acquisition of lands comprising the Wilson's Creek Battlefield site and other adjacent lands.
[5] The boundary of the area was stated in the statute.
[6] The maximum acreage provided for in the statute.
[7] Friendly.
[8] In the statute, the land to be acquired was designated by the name of the site.
[9] Adversary.
[10] Gross acreage provided for in the Presidential proclamation.
[11] The statute limited the acquisition of lands to certain areas in the Horseshoe Bend Battlegrounds.
[12] The statute limited the acquisition of lands to certain areas in the Pea Ridge Battlefield.
[13] Gross acreage was to be determined from a map as provided for in the statute.
[14] This area was referred to as the Glen Canyon Unit (70 Stat. 105) prior to being established as a national recreation area.
[15] A geographical location of the area was provided for in the statute.
[16] A national historic site not owned by the Federal Government, but the area is administered by the National Park Service.
[17] The Edison National Historic Site was created by the merger of the Edison Laboratory National Monument and the Edison Home National Historic Site.
[18] The land was withdrawn from the public domain.
[19] According to the National Park Service, the State of Florida rescinded its intention to donate the land provided for in the statute.
[20] The statute provided for the acquisition by donation, Saint-Gaudens Memorial and by purchase or donation, not more than 3 acres of adjacent lands.
[21] The government of the Virgin Islands transferred the site to the United States on Jan. 19, 1961.
[22] The statute provided for the acquisition of the lands known as the Arkansas Post State Park and other land adjacent to the park.
[23] The statute provided for the establishment of the former dwelling house of Alexander Hamilton located in New York, N.Y., as a national memorial.
[24] According to the National Park Service, no final court action has been taken.
[25] The acreage given in the exchange included 6,839.75 acres of ranch-type land near Phoenix, Ariz., which was under the control of the Bureau of Land Management. The acreage obtained was ranch-type land.

EXHIBIT 2

STATEMENT OF HON. WAYNE MORSE, A U.S. SENATOR FROM THE STATE OF OREGON

Senator MORSE. Mr. Chairman, I have been chairing the meetings on the higher education bill, but I have made arrangements for Senator RANDOLPH to be my proxy and proceed.

I wish to talk about procedure with the committee for just one moment. Of course, I will abide by the decision of the committee.

I have a matter here that is of major importance to the senior Senator from Oregon, a matter which is highly controversial in my State. I propose to treat it as a strictly legal problem. For, Mr. Chairman, I am actually appearing before the court of last resort in this matter, and the cases that I cite in my argument leave no doubt of this so far as the law is concerned.

It is a matter, in my opinion, of great importance both to my State and also to the future congressional policy in regard to the whole question of condemnation and eminent domain. Time consuming as it will be, I would like to make the record on this question, and I would like to make it a public record, in accordance with a detailed statement that I have worked on for some time, which consists, may I say, of 32 pages. And I am willing to accommodate myself to the pleasure of this committee. I will present it today, tomorrow, next week, or whenever you want it presented. But I want to say, gentlemen, that I do not think that I would be carrying out my responsibilities to the people of my State if I did not present this statement in detail. I say most respectfully, in my judgment this committee would not be carrying out its responsibilities to the people of my State if it did not hear the statement in detail.

Senator GRUENING. Senator MORSE, speaking for the chairman of the subcommittee, we would be glad to hear you at any length you may desire, anything that you have to say whether long or short is of great importance to this committee.

Senator MORSE. Very well, I shall proceed.

Mr. Chairman and members of the subcommittee, I greatly appreciate the opportunity you have afforded me to submit my views on S. 250, to establish the Oregon Dunes National Seashore Park.

The obligation which I must carry out today, in all good conscience, is one which is not easy to assume. Although my distinguished colleague, the junior Senator from Oregon, and I agree on the great majority of issues which come before the Senate, I regret that I must oppose my colleague on the issue of the power of condemnation which is inherent in the provisions of S. 250. This power to condemn private property for dunes seashore purposes was also an essential feature of my colleague's bill, S. 1137, of the last Congress.

Let me make it very clear at the beginning of my testimony that the senior Senator from Oregon wants a dunes seashore park in the State of Oregon. His major thesis is simply that not a single square inch of private property needs to be taken to have a most adequate dunes park in my State.

And I think the committee can well understand that because I do not endorse the bill in its present form, the erroneous representation has been made in Oregon that I am against a dunes park. In my judgment, we will have a better dunes park with the condemnation provision eliminated. Such a dunes park in my judgment will be more acceptable to more people in Oregon because it will eliminate the controversial features of this park. I think it is very desirable that we have a park for which there can be overwhelming support, rather than a park which, in my judgment, would cause disagreement and controversy and political difficulties for some time to come.

Mr. Chairman, on December 3, 1963, I announced to the Senate that I would oppose S. 1137 as reported. My primary objection to the bill related to the very broad power of condemnation that would be conferred to the Secretary of the Interior—a power which, in the present form of the Oregon Dunes bill, is far more comprehensive than that which would have been conferred under S. 1137 of the 88th Congress, as it was introduced by my colleague on March 19, 1963. In fact, in my judgment this bill is worse than the last one in regard to the condemnation provision.

It is a most unpleasant task, I assure my colleagues, to oppose a bill such as S. 250 which is designed to foster and promote recreational values, not only for Oregonians, but for all Americans, for generations to come. The bill has much merit and a great appeal to all of us, particularly those of us who love the great outdoors and the incomparably beautiful coast of Oregon. But the establishment of this marvelous recreation area—undoubtedly in the interest of the public—should not be effected through a plan that takes away from many individuals one of the most cherished rights enjoyed by freeman under our constitutional system of government. I refer to the time-honored and respected right of American citizens to own land in fee simple for "themselves, their heirs, and assigns."

If we were dealing with a proposed national park in the East or Midwest or possibly in some other part of Oregon, we might be able to find a very heavy measure of public interest in the scales wherein we balance public versus private interests on the question of condemnation. As I said in the Senate on December 3, 1963:

"I have heard many Senators compare the situation in Oregon with the dunes situation in Indiana, the Cape Cod situation in New England, and some other park proposals elsewhere in the country. There is little resemblance, if any, between the Oregon situation and the situation in those other States."

Senator SIMPSON. Will the Senator yield?

Senator MORSE. Yes; I yield.

Senator SIMPSON. Could the reporter read back the statement made by the distinguished Senator from Wisconsin? I want the Senator from Oregon to hear it.

(The statement of Senator NELSON referred to was read by the reporter.)

Senator SIMPSON. Does the senior Senator from Oregon wish to make any comment with respect to that statement?

Senator MORSE. I have pages of comment on it.

May I say also, as we lawyers know, it is necessary to qualify a witness from time to time. And if you will permit me to qualify myself on the subject of eminent domain and condemnation, I might say that I taught all of the real property courses at the University of Oregon for some years, including, of course, the legal subject of eminent domain.

Mr. Chairman, in my State, some of the newspapers which have not been friendly to me on the issue of the dunes park, tried to misrepresent my position by alleging an inconsistency. They pointed out that I support the Indiana Dunes Park. In fact, I am one of the cosponsors of that bill. They also pointed out that I voted for the Cape Cod Park. And I certainly did. And in the next section of my brief, I deal with my position with regard to those parks and their great differences in respect to the proposed park in Oregon.

Mr. Chairman, I supported the Indiana Dunes National Lakeshore bill when it passed the Senate last month, and I supported the Cape Cod Seashore legislation, even though both of these projects involve condemnation of private property. Because I have repeatedly objected to such provisions in the Oregon Dunes bill, I cannot let this occasion pass without differentiating once again between the Oregon Dunes proposal and the Indiana and Cape Cod situation.

The difference, Mr. Chairman, and members of the committee, is quite simple. As I indicated to the Senate in 1963 (CONGRESSIONAL RECORD, vol. 109, pt. 19, pp. 25164–25166), in the Indiana Dunes Park area there is very little public land available for use in a national park. Of the 11,292 acres which the proposed Indiana Dunes Park would include, only a little over 2,000 acres in the area is public land, and that is contained in the Indiana Dunes State Park. We are dealing, gentlemen, except for a State park within the area, with all private land.

The legal question of public necessity is then presented. If you are going to have a park in this area you have to condemn. And there is no question, as you will see from the the authorities I shall subsequently cite, that the law is crystal clear on the point that you can condemn for public necessity purposes. But there is always an issue of fact as to whether in a given set of operative facts there is a public necessity for condemnation. If that public necessity does not exist, then I respectfully submit that condemnations should not flow.

As you will also see from the authorities I shall subsequently cite, the Congress is the court that weighs these facts. Once the Congress determines this question of public necessity, no court will set the condemnation action aside unless it can be shown—which is almost impossible—that there is corruption or arbitrary, capricious conduct on the part of the finders of the fact. Under our judicial system, the body which you gentlemen on the subcommittee symbolize, namely, the Congress, will constitute the court of last resort, as the cases I wish to cite will demonstrate.

So in regard to the Indiana dunes, all of the remaining land in the area is privately owned lands or noncontiguous wetland. Consequently, Mr. Chairman, if we are going to have an Indiana Dunes National Lakeshore at all, we must have condemnation. This conclusion conforms fully to the principles of public necessity and the correlative right of eminent domain.

But let me point out, Mr. Chairman, that the case is entirely different with the proposed Oregon Dunes National Seashore. Let the record be perfectly clear that in Oregon it is not necessary to condemn a square foot of property in order to have more park area than we can use. There is absolutely no need to condemn private property in the case of the Oregon Dunes National Seashore.

On December 19, 1963, I took the same position with respect to S. 792 of the 88th Congress, to establish the Sleeping Bear Dunes National Lakeshore, Mich. I voted against S. 792 because, as in the case of the present bill, the power to condemn private land was inherent in the bill. In discussing this case in the Senate, I said:

"My understanding is that even in the Sleeping Bear area there could be quite a large park if there were not a requirement of condemnation of the relatively small number of private holdings which are to be condemned." (CONGRESSIONAL RECORD, vol. 109, pt. 19, p. 25166.)

"The only objection I raise to the Michigan bill is that we should eliminate the condemnation sections in the bill and see what can be arrived at by way of Sleeping Bear Park on the basis of negotiation and purchase. Later, if a set of facts develops, that will stop them from having the park; if they find that later a situation should develop which, in order to get a certain piece of property from the standpoint of public necessity, would require action of the kind proposed, we can then enact special legislation providing for condemnation for those essential areas, and those areas alone." (Ibid. 25165.)

And that same principle you will find in the Morse amendment which I shall offer before I close my testimony on the Oregon dunes bill.

Mr. Chairman, and members of the committee, I contrast the Michigan and Indiana Dunes cases in order to reemphasize that where ample public lands are available with which to establish a dunes park, we should not invade private property ownership rights until we can demonstrate beyond a reasonable doubt that the park will fail in its purposes and objectives unless additional specific private lands are acquired through condemnation.

In Oregon, more than 50 percent of the land is owned by the Federal Government. And yet there is pending before this subcommittee a measure for the establishment of an Oregon Dunes Park which would involve the condemnation of private property for use in the park. Now, these three words "the public necessity" are words of art in the law which are misunderstood by many laymen in a controversy such as this. It is very easy for them to criticize one such as the senior Senator from Oregon who is holding strictly to the law in the position that he has taken on this matter. All I have said, and say now, is that no private property should be condemned unless it can be shown that this piece of property is needed as a matter of "public necessity." And that is quite a different thing from giving to the Secretary of the Interior a blanket authority, as is given to him in this bill, to render the judgment in the name of the Congress as to whether or not a piece of property should be condemned. You give him that authority and you can't take it away from him, Mr. Chairman, unless you pass another statute to do it.

Senator SIMPSON. Does the Senator from Oregon agree with the Senator from Wyoming that under this procedure it is a taking of the property as soon as the petition is filed in the district court in the region where the land lies?

Senator MORSE. That is right.

This power to condemn must be used only with extreme care and only where there is no other way to satisfy the public necessity. This is not the case in the Oregon Dunes, for ample public lands are already available.

This consideration applies with even greater force when the question of public beach lands is the issue at hand. As I shall point out later on in this speech, years ago, through the foresight of a great Oregon Governor, Oswald West, the State of Oregon completed the task of preserving for public use the Pacific Ocean beaches from the Columbia River in the north to the Oregon-California border in the south. These beaches were declared by the Oregon General Assembly to be vested in the State of Oregon as a public highway. That is, in Oregon every square inch of beach from the Columbia River to the California boundary, from between high and extreme low tide is owned by the State of Oregon. And I want you to keep that in mind as we consider the physical nature of this proposed park.

Consequently, between 300 and 400 miles of Pacific Ocean beach in Oregon is in public ownership. No impertinent signs reading "No Trespassing," "Keep Out," "Private Beach," or "Reserved for Guests," confront visitors desiring to enjoy the Pacific Ocean beaches of Oregon. Persons of all races and colors may use the beach and are welcomed there by Oregon and her people. This right of the public to enjoy the seashore of Oregon in perpetuity stands in marked contrast with the many instances wherein the Atlantic beach areas are restricted to use by a privileged few. It also stands in marked contrast to the beach areas that are available to the public in the Midwest and other parts of our Nation.

These are facts that we must keep in mind, Mr. Chairman and members of this committee, when we weigh the private property interests of individuals who own land within the boundaries of the Oregon Dunes National Seashore, against the public interest involved in an acquisition of private lands for park and recreational purposes.

The private property within the proposed boundaries of the seashore cannot be dismissed as an insignificant element of this project. The committee's report on S. 1137 of the 88th Congress, a bill which, as reported, was essentially the same as S. 250, contains the statement on page 3 that "the new boundaries include an estimated 15 private residential properties and 2 commercial enterprises."

The report also states on page 4, "authority has been given by the adoption of a new section 4(d), for acquisition of scenic easements covering private property for 500 feet on both sides of U.S. Highway 101 to protect the national seashore against deleterious developments on such adjacent lands."

At page 5 the report indicates that about one-sixth of the proposed dunes seashore area—a total of 4,242 acres—is in private ownership. It is quite obvious, therefore, that private ownership rights are a significant element in the project, and cannot be disposed of on any de minimis considerations.

It has been pointed out that only 15 residences are involved, and that therefore the senior Senator from Oregon should not be so concerned. I would be just as concerned if only one residence was involved. Because, let me point out to this committee, that one residence is pretty precious under this juridical system of ours. Just one citizen, no matter how lowly or how small his property interest may be, is entitled to the same protection as someone with 500 or 5,000 or 50,000 acres. We are dealing here with a juridical concept. We are dealing here, in my judgment, with a matter of the interest of the individual against that of the Government. The bill is not improved by taking fee simple away from 15 parties, as far as their residences are concerned. There are, moreover, other fee simple owners of private property involved in this area who don't have residences on them, but it is still private property.

And so I repeat, I am interested only in the protection of individuals in their fee simple rights in the absence of a showing, on the facts, that fee simple must be taken away from them as a matter of public necessity. That is the issue.

And let me say, passing a bill won't settle that issue. Passing a bill isn't going to satisfy the individual who knows that the bill took property away from him when no essential public necessity in fact was involved. That is the issue. The question now is whether the Congress wants to work out an accommodation in connection with this bill that has been needed for years. Such an accommodation must be worked out now to protect what I think is one of the most precious liberties and freedoms the American citizen has; namely, the right to own property in fee simple, not to be taken away from him by the Government in the absence of a public necessity in respect to the use of that particular piece of property.

You see, gentlemen, you must think of this park as a blanket. We are trying to stretch out a blanket which we are going to call a park. But under that blanket, there are some privately owned fee simple titles. And there is no public necessity in some instances for taking those fee simple titles to individual parcels of land. But you will never know until the owner of that land has an opportunity to have a hearing on whether or not the doctrine of public necessity ought to be applied to his particular piece of property. That is what I am urging.

This involves, you see, the consideration of many abstract principles of law. You have heard me say in my battles on the floor of the Senate during the past 20 years that we don't have rights, any rights as free men and women, except in relation to the abstract principles of law. But it is hard work to deal with abstractions, and not very dramatic. It is easy to forget their concrete application to our daily lives.

But consider these 15 private landowners, some of whom have built their houses as retirees practically with their own hands. They are beautiful houses, though they would not look very good in Spring Valley in Washington, D.C. But in the Great Cathedral area of nature which God has given them for a surrounding they are wonderful homes. And I don't propose to take them away from those fee simple owners unless it can be shown that each individual parcel is needed as a matter of public necessity.

And let me tell you, you can take judicial notice that the Secretary of the Interior could not show public necessity in case after case. There is more public domain surrounding that area than you would ever include in the park.

As you will see in another subsection of my argument, Mr. Chairman, there has already been eliminated from this bill the best dunes in the area. If you gentlemen think that the bill you have before you is the bill that has the best dunes, come on, and I will take you out there. I will show you the best dunes They are not even included in this bill. They have already been excluded. They were in the original Neuberger bill, but they are not in it now. The arguments advanced by some attempt to explain why they have been excluded. Well, they are public lands, and I want to say that in my judgment you cannot justify excluding the best dunes while at the same time you are condemning these private holdings. In my judgment it is not necessary to take them in order to have a wonderful park.

Mr. Chairman, as I have said, some of the finest dunes land of the entire area is that which is located immediately south of Tenmile Creek extending to a point in the vicinity north of Coos Bay. This area was included in Senator NEUBERGER's bill, S. 1137 of the 88th Congress, but was eliminated by the Senate Interior Committee when it reported on S. 1137. It is interesting and significant that it was not included in H.R. 7524, which is the bill of the Congressman from this area of Oregon. It is my understanding that S. 250 also excludes the dunes area south of Tenmile Creek.

There are a number of private ownerships in the area just mentioned south of Tenmile Creek, but I noted upon reviewing Senate Report No. 674 of the 88th Congress that this 9-mile stretch of land was eliminated from the reported bill, S. 1137, because "developments of the next few years should determine whether this area is required exclusively for water supply and industrial expansion near Coos Bay, or if a considerable part of it can be used for seashore recreational purposes or dual uses if it is needed to accommodate visitors to the seashore" (S. Rept. No. 674, p. 3).

Let the record be perfectly clear. The Senator from Oregon would not want any of the private property in the so-called south of the Tenmile Creek area taken by way of condemnation unless there could be shown an essential public necessity. But also I want to point out that most of the very best dunes south of the Tenmile Creek area are already public lands. And I am at a loss to understand why they should be excluded on the basis of any argument that a great paper-producing company and various commercial companies in that area may need water. Why, Mr. Chairman, we give water easements in connection with public land all over this country to private enterprise. And I would support it. Mr. Chairman, a water easement does not in any way diminish the use of the property for park purposes.

Now, granted that there is enough land north of Tenmile Creek for an adequate park, the senior Senator still raises the question, why, however, should we exclude what the recreationalists tell me happen to be some of the best dunes for park purposes?

This is a most interesting situation. It indicates that the committee does give cognizance to private property interests, but that its major concern relates to potential industrial uses of privately owned property in this impressive 9-mile dune area. If industrial private property ownership is important, I feel that personal private property ownership is equally important and I do not believe that we should give favored consideration to one type of private ownership as contrasted with another. But I repeat, if any of this property south of Tenmile Creek that is privately owned is desirable for private industrial uses, then I do not want it taken away from them unless it can be shown that a given piece of property ought to be taken from the standpoint of public necessity, not under a blanket bill, but in connection with the facts relating to the fee-simple rights of the owner of that specific piece of property. This is quite a different approach, as you can see.

In regard to the public land south of Tenmile Creek on which some of the best dunes in the area are located, let me say that there is no justification for excluding that land when industrial sites are available for building various industries in the Coos Bay area and I am for the building of these industries. In fact, no one has been a greater supporter of the development of the private industry in that part of the State than the senior Senator from Oregon. But I am not in favor of saying that we can't have parklands there because water is needed that may be taken from under that land. Give them a water easement. That is all you need to do. We follow that procedure all over the country.

The members of the subcommittee have the solemn obligation to weigh carefully the interests of these property owners in the scales of legislative justice. For we of the Congress are truly and effectively the "court of last resort" for the individuals who own 4,000 acres of land in this proposed seashore park area. As I shall point out later, these landowners would have no appeal from our decision if we should conclude that their landownership rights are to be destroyed by a grant to the Secretary of the Interior of the power to deprive them of their land within the boundaries of the seashore project. That is what I call the blanket approach to this park problem.

We cannot shrug off the problems by saying "Let the courts decide the issue." The courts have made it clear to us in many cases, both at the State and Federal levels, that they will not review cases of this type once a finding is made that the lands to be acquired for the recreational area are for public use. There is no doubt that the lands to be used in this case will be devoted for public use. Thus, we of the Congress are, in fact and in effect, the highest court to which these private landowners may appeal. Once we have rendered our decision, the rights of these landowners on this issue are adjudicated for all time.

Of course, the owners of these lands will be afforded the protection of just compensation under the fifth amendment of the Constitution, but we all know that money compensation is a very poor substitute for the ownership of land which a man has acquired through his own foresight and wishes to retain for his own purposes as a free American citizen.

We have no way of knowing the specific intentions of the affected landowners as to the future use of their private property lying within the boundaries of the proposed Dunes Seashore project. I can assure my colleagues that scores of people who have written to me on this subject over the years are deeply apprehensive. Beyond a doubt, many plans for the future use of these privately owned lands will have to be abandoned and cherished hopes will be dashed if we grant the power of condemnation that is implicit in S. 250.

In order that we may have a clear understanding of the legal principles applicable to the condemnation provisions of S. 250, I believe a discussion of those principles is merited at this point.

At my request the Library of Congress supplied a very helpful analysis of the constitutional basis upon which private property may be condemned for park and recreational area purposes. I have not only checked their cases, but I have run the citations. The analysis made these pertinent observations concerning State and Federal law applicable to this question:

"A. CONDEMNATION OF PRIVATE PROPERTY FOR PUBLIC PARKS AND RECREATION AREAS

"It is apparently well settled that it is constitutional to condemn private property for the purpose of providing public parks, playgrounds, outdoor scenic spots, and public recreational areas. Vast tracts of uninhabited woodlands, or spots made beautiful by nature may be taken for State or National parks. (Nichols, one of our great authors on the subject 'The Law of Eminent Domain.' 3d ed., 1950 (1962 Supp.), sec. 7.5151.) In *Adirondack Railway* v. *New York State*, 176 U.S. 335 (1900), the State of New York condemned property of a railroad to provide a public preserve of wild forest lands for the public pleasure and health, to preserve the headwaters of important rivers, and to maintain an adequate stand of timber. The State courts upheld this taking and the U.S. Supreme Court affirmed, saying the purpose of the talking was a matter for legislative discretion of which judicial cognizance would not be taken.

"In *Bunyon* v. *Palisades Park Commrs.*, 153 N.Y.S. 622, it was held that it was for the public use to take land used for a quarry in order to preserve the scenic beauty of a river and a park. In *United States* v. *Gettysburg Electric R'y*, 160 U.S. 668 (1896), the Supreme Court upheld an act of Congress providing for the condemnation of private property for a national historic site at the Gettysburg battlefield, stating that the preservation of a great national site in order to promote feelings of patriotism and loyalty is a proper public use for which private property may be taken. The only State case on the condemnation of historic battlefields is *State ex rel. Smith* v. *Kemp*, 261 p. 556 (Kansas), where the taking was also upheld.

"Nichols, in the work cited, concludes that 'It is apparent that pleasure and sentiment must be the principal factors in justifying the taking of property for such purposes (scenic natural areas, woodlands, et cetera),' whereas the taking of land for city parks and playgrounds for active use is usually based on the public health and safety.

"As to the public taking of private property for park purposes, Nichols states that this is a comparatively recent thing in American life, but that such taking has uniformly been held constitutional usually on the ground of public health and morals. Numerous cases are cited on such takings; among the important Federal cases are the following:

"*Shoemaker* v. *United States* (147 U.S. 282 (1893)), upheld the taking of private land in the District of Columbia for Rock Creek Park, with which we are all familiar.

"*Chicago, Milwaukee & St. Paul Railway Company* v. *City of Minneapolis* (232 U.S. 439 (1914)) upheld the taking by the city of Minneapolis of the shorelines of several lakes located in the city, together with adjacent lands, for public park purposes.

"In *Rindge Co.* v. *Los Angeles* (262 U.S. 700 (1923)), an owner of property situated along the Pacific coast near Los Angeles resisted the taking of his property for a public highway on the grounds that it was to be only a scenic route and that few people would use it. The Court held that an authorized public use in condemnation cases was properly met by a road affording mainly scenic beauty: 'Public uses are not limited, in the modern view, to matters of mere business necessity and ordinary convenience, but may extend to matters of public health, recreation, and enjoyment * * *. A road need not be for a purpose of business to create a public exigency; air, exercise, and recreation are important to the general health and welfare; pleasure travel may be accommodated as well as business travel; and highways may be condemned to places of pleasing natural scenery. *Higginson* v. *Nahant* (11 Allen (Mass. 530, 536)).' The Court also stated that it is not necessary that the entire community, nor even any considerable portion of it, should directly enjoy or participate in an improvement in order to constitute it a public use."

May I say to the committee that it will be observed that the court decisions spend very little time in discussing the source of the power of the Federal Government to acquire private lands for public park or recreational purposes. Perhaps some of the courts assume that the acquisition of land is an attribute of sovereignty. However, I would prefer to place the power of the Federal Government to take private land for public purposes on a more solid constitutional basis. This is the doctrine that I have never seen successfully rebutted in any of the legal literature. It is the doctrine that I expressed in my course on real property when we got to the subject of eminent domain.

The Federal Government, it has been observed in many Supreme Court decisions, is a Government of delegated powers. One might engage in philosophical-legal discussions at some length in searching out the basic delegated power under which the authority to acquire land for Federal recreation purposes is derived, but there seems to be little doubt, under the adjudicated cases involving condemnation of private land for park and recreation purposes, that the root source of such power is article I, section 8, of the Constitution, the so-called spending power. This is a power that is corollary to that given Congress to "lay and collect taxes, duties, and imposts to * * * provide for * * * the general welfare."

In *United States* v. *Butler* (297 U.S. 1 (1936)), the Supreme Court emphasized that the Federal power to tax includes the Federal power to expend funds to promote the general welfare. The Court said:

"The Congress is expressly empowered to lay taxes to provide for the general welfare. Funds in the Treasury as a result of taxation may be expended only through appropriation (art. I, sec. 9, cl. 7). They can never accomplish the objects for which they were collected, unless the power to appropriate is as broad as the power to tax. The necessary implication from the terms of the grant is that the public funds may be appropriated 'to provide for the general welfare of the United States.' "

Obviously, the spending of Federal funds for a public purpose is a spending for the general welfare. The objective of the spending may be carried out under the implementing clause of the Constitution which says:

"The Congress shall have power * * * to make all laws which shall be necessary and proper for carrying into execution the foregoing powers and all other powers vested by the Constitution in the Government of the United States * * * (art. I, sec. 18)."

In view of the foregoing, I do not believe it can be questioned today that the Federal

Government has the authority to acquire private lands for public park and recreational purposes and that it may acquire such lands through condemnation proceedings. Condemnation is but one method of carrying out the law which authorizes the acquisition of private property for public uses.

If the issue were to be decided for the first time in the courts of our country today, I believe a strong case could be made for the proposition that in passing upon the right of the Federal Government to take private property for public use, the courts should weigh carefully the Government's power of condemnation against the individual's right to peaceful and uninterrupted property ownership. If the issue had not been settled in courts long ago, I think it could be argued with a great deal of logic that in each case courts should "balance the interests" to determine whether the power of condemnation for public purposes outweighs the private property ownership rights in each case under consideration. However, the issue was resolved long ago. And therefore, gentlemen, if you give this blanket authority to the Secretary of the Interior, the private property owners have no successful recourse.

This blanket authority under S. 250 is just what the Secretary of the Interior is after, and that is why he has been adamant in any suggestion that the senior Senator from Oregon has made to him about working out the kind of a compromise I shall propose before I finish this testimony. He wants the power, and I just do not believe in giving him any bureaucratic power he does not need. He does not need this power in this set of facts to establish a highly desirable park in the State of Oregon, and help us avoid what is going to be a controversy in our State that in my judgment should not be raised. It is not necessary to raise such a controversy in order to have a beautiful dunes park that will meet all the recreational needs that any park proposed under this bill, with or without condemnation procedure given to the Secretary of the Interior, will provide.

Therefore, I think we ought to think about these private property owners. I think we ought to provide the necessary language in this bill to protect their fee simple titles from being taken away from them unless the Secretary of the Interior can be made to show in each individual case that public necessity calls for condemnation. I have an amendment, as you will see before I finish, that will provide that protection to these private property owners.

And so I say, the general proposition of the law is well established. When the taking is found to be for public use, the extent of the taking is within the discretion of the legislature, subject to the constitutional requirement of just compensation for the property taken.

On the subject of the possible weighing of public and private interests in considering whether a particular condemnation should be allowed, the Library of Congress provided me with these comments:

"This is the question of the public necessity for a taking and is discussed in some of the cases. It appears to be settled that this is a political question not appropriate for judicial consideration. 'The necessity for appropriating private property for public use is not a judicial question. This power resides in the legislature * * *.' *Rindge* case, supra. 'Where the intended use is public, the necessity and expedience of the taking may be determined by such agency and in such mode as the State may designate. They are legislative questions, no matter who may be charged with their decision, and a hearing thereon is not essential to due process in the sense of the 14th amendment.' *Bragg* v. *Weaver*, 251 U.S. 57, 58. See also *Joslin Mfg. Co.* v. *Providence*, 262 U.S. 668. This point will be discussed in subsequent paragraphs.

"To resume with the list of Federal cases bearing on public takings for park purposes, we have *Suncrest Lumber Co.* v. *North Carolina Park Commission*, 30 F. 2d 121 (1929). In this case the condemnation of private property in North Carolina was upheld where it was taken by the State, in conformity with an act of Congress, to form part of the projected Great Smoky Mountains National Park.

"In *Dalche* v. *Board of Com'rs. of Orleans Levee Board*, 49 F. 2d 374 (1931), the Court considered the levee board's condemnation of extensive land on the shores of Lake Pontchartrain and adjacent thereto for the purpose of draining it and turning it into parks, playgrounds, boulevards, amusement parks, beach areas, general recreation areas, and like purposes. The Court held that, considering the conditions prevailing in the area involved (low, swampy area, unsuited for anything but muskrat trapping), such purposes were properly public uses and thus the condemnation did not violate the 14th amendment. As to the necessity of the taking in the first place, the Court said it could not inquire into such a matter, which was exclusively for the State legislature. Thus, once again the Court refused to weigh the public interest against the private interest on the question of the necessity of the taking. Its only consideration was to the public character of the use intended for the property. As stated, it easily found such a public use in the intended use of the property.

"In *Via* v. *State Commission on Conservation, et cetera*, 9 F. Supp. 556 (1935), the Court upheld the condemnation of private property for a public park (here the State of Virginia took private lands to make up part of the proposed Shenandoah National Park in conjunction with an act of Congress for that purpose. The Court stated that it must be conceded 'That the furtherance of the health, pleasure, and recreational facilities of its people is a function of the State.'

"In *United States* v. *Southerly Portion of Bodie Island, N.C.*, 114 F. Supp. 427 (1953) the United States sought to condemn certain private property in North Carolina for use in connection with the Cape Hatteras National Seashore Recreational Area. Against an allegation by the defendant that the proposed taking was not for a public purpose, the Court replied that 'it is nevertheless well settled that the condemnation of property for park purposes is a taking for a public use and is constitutional,' citing the Shoemaker and Rindge cases, supra. The defendant further contended that his property was not necessary for the projected seashore area. The Court replied that this allegation was directed really to the wisdom of the Secretary of the Interior in deciding to include defendant's land: 'In the absence of bad faith and nonpublic use, it would seem that the wisdom of a Government officer authorized to commence condemnation proceedings does not present a judicial question and is not subject to judicial review * * *. It is his opinion and not the opinion of the Court that is controlling.' The Court pointed out that actual malevolence on the part of the Government would have to be shown, before the courts could inquire into the wisdom or necessity for a particular taking. This is directly in line with the repeated position of the courts that they will not weigh the necessity of a taking; that is, balance private interests; their only concern is with the public use character of a condemnation. See also *United States* v. *Certain Parcels of Land*, 141 F. Supp. 300, 305 (1956): 'If there is any reasonable basis for the exercise of a power granted by Congress to an administrative officer in eminent domain proceedings, it is beyond the jurisdiction of the Court to review his determination, at least in the absence of bad faith.'

"Some selected State cases on the taking of private property for parks and public recreational areas are:

"In *City of Beverly Hills* v. *Anger*, 127 Cal. App. 223 (1932) the court upheld the taking of private property for a city park. The court stated that an owner may not question in the courts the public interest and necessity for a taking. Accord, *Village of Depue* v. *Banschbach*, 273, Ill. 574 (1916).

"Opinion of the Justices to the Senate, 297 Mass. 567 (1937) upheld the taking of land in the old port of Salem to be used as a memorial to sailors of that port and as a marine park for the public benefit and as a national historic monument.

"In *Bunyan* v. *Com'rs. of Palisades Interstate Park*, 153 N.Y.S. 622 (1915), the court upheld the taking of a stone quarry along the Palisades of the Hudson River and adjoining the State park to preserve the scenic beauty of the river and park, even though some of the land was too rugged for use, against the contention that the State could not exercise eminent domain merely to acquire land for its esthetic merits and scenic beauty: this in itself is a public use. Again, the court refused to consider the necessity for the taking because 'such a challenge would open a tremendous field for irrelevant discussion' (p. 628).

"As to the weighing of public and private interests in a taking, the Illinois Supreme Court in *Deerfield Park District* v. *Progress Devel. Corp.*, 174 N.E. 2d 850 (1961), permitted a condemnee to inquire into the ultimate purpose of the park board in the acquisition of its land for a park, even though the court said the general rule forbade judicial inquiry into the condemnor's motives. Perhaps the facts of the case are decisive: Progress charged that the park board was only condemning its property because Progress was selling its houses to Negroes. Insofar as this case allows the courts to examine the necessity for a taking, as distinct from its public purpose, it is against the weight of authority.

"Taking the opposite view of much the same facts is *State* v. *Weinstein* (St. Louis Court of Appeals; 329 S.W. 2d 399 (1959)). Here the court refused to examine the motives of the condemning body so long as the taking was for a public use (a park). (The property sought to be condemned was owned by Negroes who charged the city was persecuting them; the court would allow no proof of this question.) Accord, *In re Opening and Extending Palisade Ave.*, 1955 N.Y.S. 2d 585 (1956).

"In *Bushard* v. *Washoe County*, 68 Nev. 222 (1951) the court held that the taking of wild woodlands 22 miles from Reno as a public recreational area was for a proper public use.

"In *Brande* v. *Oconto County*, 109 N.W. 2d 105 (1961), the Supreme Court of Wisconsin said courts may not weigh the necessity for a taking, except where the condemnation is arbitrary, unreasonable, or in bad faith.

"In *Salisbury Land & Imp. Co.* v. *Commonwealth* (215 Mass. 369), it was held that private land may be taken for a city bathhouse or public bathing beach.

"Additional Federal cases holding that the determination of the necessity for a taking is for the legislature and will not be examined by the courts: *Brooks* v. *Shepard* (157 F. Supp. 379); *United States* v. *70.39 Acres of Land, More or Less in San Diego County* (164 F. Supp. 451); *District of Columbia Redevelopment Land Agency* v. *70 Parcels of Land in Square 541 in the District of Columbia* (153 F. Supp. 840); *Berman* v. *Parker* (348 U.S. 26) (holding that the legislature and not the judiciary is the main guardian of public needs to be served by social legislation, including the power of eminent domain, and the role of the courts in determining whether that power is being exercised for a public

purpose is an extremely narrow one—the legislative determination of necessity is 'well nigh conclusive')."

One of the leading U.S. Supreme Court cases supporting the proposition that the courts will not review the necessity of the taking, once it has been established that the taking is for a public purpose, is *Shoemaker v. United States* (147 U.S. 282 (1893)). In that case the U.S. Supreme Court upheld the condemnation of certain lands in the District of Columbia, pursuant to an act of Congress, for the purpose of creating a park in the Rock Creek area. Without dwelling upon the obvious fact that the taking of the property for park purposes was a taking for a public use, the Supreme Court, speaking through Mr. Justice Shiras, said:

"The adjudicated cases likewise establish the proposition that while the courts have the power to determine whether the use for which private property is authorized by the legislature to be taken, is, in fact, a public use, yet, if this question is decided in the affirmative, the judicial function is exhausted; that the extent to what such property shall be taken for such use rests wholly in the legislative discretion, subject only to the restraint that just compensation must be made."

In *Adirondack Railway v. New York State* (176 U.S. 335 (1900)), the State of New York condemned property of a railroad to provide a public preserve of wild forest lands for the public pleasure and health, to preserve the headwaters of important rivers, and to maintain an adequate stand of timber. The State courts upheld this taking and the U.S. Supreme Court affirmed, saying that the purpose of the taking was a matter for legislative discretion of which judicial cognizance would not be taken. Speaking for the Supreme Court, Mr. Chief Justice Fuller said:

"The lands taken for the park were thereby dedicated to a public use regarded by the State as of such vital importance to the people that they were expressly put by the Constitution beyond the reach of any other destination. The general rule is that the necessity or expediency of appropriating particular property of public use is not a matter of judicial cognizance but one of the determination of the legislative branch of the Government."

These cases show that the courts will not go into the question of necessity once the Congress and the State passes the legislation. The court only makes an inquiry as to whether or not the use is public. There is no question about the use in S. 250 being public, it is for a park. And the cases are legion.

And so the issue that the Senator from Oregon raises again is whether you are going to give discretionary power to the Secretary of the Interior with no check, or whether you are going to give us a bill that gives us all the lands we need for a dunes park without condemnation provisions. For there is much more public land that can be included in the bill. That is all you have to do. You can go down there to Coos County and take acre after acre of the best dunes on the whole coast and put them back in the bill. You had them there once. But it is my position that these private holdings should not be taken under a blanket act. My plea is that you follow a procedure that the senior Senator from Oregon will recommend shortly: to place a check upon the discretion of the Secretary of the Interior.

Now, Mr. Chairman, the law makes it clear that the Federal Government has the power to acquire privately owned lands for public park and recreation purposes. We know that once a decision has been made authorizing or calling for the acquisition of private property by the Federal Government for such purposes, the courts will not question the taking. We, as legislators, have the solemn duty of determining whether these private land owners are to be subjected to the condemnation of their lands within the dunes park area. They have no appeal from the decision of the Congress or from the action that the Secretary may take pursuant to that decision.

Condemnation of private land is a power which should be used sparingly; it should never be used unless a demonstrated essential public necessity demands it. Has there been a demonstration of real public necessity in this case? I submit that there has not been any such demonstration.

As I mentioned heretofore, the Pacific Ocean beaches on the coast of Oregon belong to the general public and are available the year around for public use. I am satisfied that these beaches will remain in this status in perpetuity. This dedication of the Oregon beaches to the general public is now found in the Oregon Revised Statutes, section 274,070. This section reads:

"Ownership of the shore of the Pacific Ocean between ordinary high tide and extreme low tide and from the Columbia River on the north to the Oregon and California State line on the south, excepting such portion or portions as may have been disposed by the State prior to July 5, 1947, hereby is declared vested in the State of Oregon, and hereby is declared to be a public highway. No portion of such shore shall be alienated by any of the agencies of the State."

This admirable law had its origin, in part, in 1899. It was extended through the efforts of a great public servant, the late Gov. Oswald West, to preserve for posterity the entire length of our incomparable Oregon beaches. The original statute, which was enacted in the Oregon legislative session of 1899 (Oregon Laws, 1899, p. 3), declared the Oregon Pacific Ocean beaches to be a State highway from the Columbia River at the north to the Clatsop County south boundary. In 1913 the boundary was extended south to the Oregon-California boundary line. This Oregon statute stands as a living monument to a great man who had remarkable foresight—Oswald West.

Mr. Chairman, I submit that in the case of the Oregon Dunes project, the public necessity does not require the condemnation of a single piece of private property at this time. I submit that the power of condemnation implicit in the Oregon Dunes bill as it now stands before this subcommittee, would represent an unjustifiable use of the power of eminent domain by the Government of the United States.

Senator SIMPSON. Would the Senator yield?

Senator MORSE. Yes.

Senator SIMPSON. In a letter from the Secretary of the Interior, reporting on the bill in the 88th Congress these words are found, "property should be acquired 'only with the consent of the owner.'" Does the Senator from Oregon, who is importuning to leave it out, have any knowledge of why the Secretary put these words in the report and then asked for condemnation rights in this bill?

Senator MORSE. No; I would not have any such knowledge. But I want to say most respectfully, of course, that if Congress gives him this power of eminent domain, he can use it in the exercise of discretionary power. And if he can't reach a settlement with the owner, he can condemn. And that is what the proponents of the bill want. That is what they are seeking.

Therefore, Mr Chairman, I have prepared an amendment to S. 250 which expressly prohibits condemnation of private property within the Oregon Dunes National Seashore project area.

In submitting this amendment, I am not asking the Congress to take a radical new step by allowing private tracts to remain within boundaries of Federal lands. Mr. Chairman, the fact is that there are millions of acres of land—I did not misspeak here, there are millions of acres of land, private land, within our Federal parks and forests across the country which remain in private ownership. It is not now, nor ever has been necessary to use condemnation in order to acquire every last acre of private land in our Federal parks and forests. For the information of the subcommittee, I have taken the trouble to find out just what the facts are in regard to this question.

In response to an inquiry to the Department of the Interior on this matter, Secretary Udall made the following comments in a letter of last year:

"The National Park Service has never obtained a complete breakdown of the owners of private lands within the authorized exterior boundaries of the areas it administers. Such a compilation would be a monumental task. There are, however, many of such private inholders, some of whom own very small tracts of land, while others own many thousands of acres. Land use by these private inholders range from commercial enterprises, such as service stations, motels, ranches, et cetera, while others use land for summer cottages or agricultural purposes. Many areas have private inholders who have subdivided their lands, which are in a constant state of flux due to selloffs."

As of January 1, 1965, Mr. Chairman, such privately owned lands within our national parks amounted to 598,283.03 acres—more than half a million acres. Quite evidently there is no strident rule that the Federal Government must condemn all private property in establishing its national parks.

I have also received from the Department of the Interior a breakdown on private properties in several of our better known national parks. I think the subcommittee would be interested to know just how much private land is still to be found in these parks.

(The breakdown referred to is as follows:)

Summary of State-owned lands within National Park Service areas, Jan. 1, 1965

Area	State	Private	Total non-Federal
Antietam National Battlefield Site, Md	[1] 1.50	6.83	8.33
Canyonlands National Park, Utah	20,976.40	21,152.60	42,129.00
Capulin Mountain National Monument, N. Mex	55.00	40.00	95.00
Carlsbad Caverns National Park, N. Mex	2,171.12	640.00	3,361.12
Death Valley National Monument, Calif.-Nev	9,512.49	15,489.95	25,002.44
Dinosaur National Monument, Utah-Colo	2,153.68	9,348.65	11,502.33
Glen Canyon National Recreation Area, Ariz.-Utah	22,704.32	202.00	22,906.32
Grand Teton National Park, Wyo	1,411.91	6,410.10	7,822.01
Lake Mead National Recreation Area, Nev.-Ariz	[1] 4,813.00	28,887.00	33,700.00
Natural Bridges National Monument, Utah	473.84	0	473.84
Olympic National Park, Wash	[1] 540.00	7,501.31	8,041.31
Organ Pipe Cactus National Monument, Ariz	1,280.00	903.24	2,183.24
Point Reyes National Seashore, Calif	220.00	46,921.72	47,141.72
Saratoga National Historical Park, N.Y	13.30	3,054.35	3,067.65
White Sands National Monument, N. Mex	6,142.42	145.88	6,288.30
Zion National Park, Utah	1,987.91	10,973.59	12,961.50
Total	75,006.89	151,677.22	226,684.11

[1] Estimated.

Senator SIMPSON. Would the senior Senator from Oregon like to put in the areas of land in the Grand Teton National Park in Wyoming which are owned by the State?

Senator MORSE. I have, Grand Teton National Park area, 1,411.91 acres.

Senator SIMPSON. I see you have put it in.

I might observe, just as an aside to the Senator from Oregon, that there was an attempt on the part of the Park Service to condemn and take inholdings in that area just recently. The people, of course, after the petition was filed had only the question of compensation to determine. That was determined in the Federal court. The appraisers were very liberal, the park appraisers, they gave $1,800 an acre. But the jury evidently was incensed at this sum and raised it to $4,800 an acre in the judicial proceeding.

That is the type of things that we run into. And it engenders hatred within the people in the area.

Senator MORSE. I am so glad the Senator made the statement he did. What we ought to do is try to avoid this kind of conflict between the Government and our people. We ought to try to avoid it.

I am pointing out here that all this private land exists in many of these parks. And let me make it perfectly clear, in these instances the Federal Government could come in and condemn if it wanted to. There is not any doubt as to what they intend to do with these pieces of land in S. 250. You could not have had the conferences that I have had with the authors of this bill and with the Department of the Interior without knowing what they intend to do. They intend to condemn. And that is why I think the Government must have the kind of a check that I propose in here.

But I want to say, I think the kind of amendment that I am going to propose will avoid just the kind of a controversy that you have mentioned in regard to the Grand Teton. Any time they can show a public necessity, let them show it.

I am using these figures at this point in my argument as a two-edged argumentative sword. The first edge cuts through what I think has been a failure on the part of the Department of the Interior, until I smoked it out, to make it perfectly clear that there exist these large holdings of private land within the Federal public domain, including Federal parks, and that they have not interfered at all with the use of those parks by the public. That is my present point. You can have the private holdings in a park, and still have the park fully enjoyed by the public.

I am going to have some suggestions before I get through with respect to protecting the public interest against misuses of private property that would interfere with the area for park purposes. We have that, may I say, in every municipality and county which I know of in the country.

Senator SIMPSON. Will the Senator yield there?

Senator MORSE. Yes, I yield.

Senator SIMPSON. I would like to call the attention of the committee and the Senator from Oregon to the situation that exists in Yellowstone National Park. We have some 2,200,000 acres in that area, and we have some 25,000 visitors per day. We are only able to accommodate 8,000 of them overnight. The interesting part of it is that out of the entire acreage of over 2 million, less than 4 percent is utilized by the Park Service in placing facilities within the area.

Senator MORSE. Of course.

May I say most respectfully, that if there were only a will and a desire to resolve this controversy that ought to be resolved, and to set, I think, a very healthful precedent, then here is a chance to do it in S. 250.

Now, let me say, again, you cannot talk to the Department of the Interior without realizing that what you are running up against is a vested bureaucratic power that the Department does not want to relinquish one iota. And that is what we need to watch out for. You men have heard me speak ad infinitum in the Senate about the great danger of transferring this country from a Government of three coordinate and coequal branches of Government into a Government by the executive. When you run into the stubborn, adamant attitude of the Department of the Interior, you know whereof I speak. They do not want any diminution of the power they think has been given them. But it happens to be for us to decide whether past Congresses have given them a power which when applied today can result in the exercise of abusive discretion. And in my judgment, that is what you run into in the Department of the Interior in a good many respects, may I say.

But I limit my criticism of the Department today to this matter. Let me warn the Department of the Interior that this is not the last point I am going to raise in criticism of the policies of the Department which I have found not in the public interest.

I refer now to the table inserted above:

Dinosaur National Monument. You have private property in there of 9,348 acres in round numbers against a public property of 2,000 in round numbers. Out of a total of 11,000 acres, you have 9,000 that are private.

Take the Canyonlands National Park in Utah. Out of 42,129 acres, you have 21,152 acres of private land. In the Canyonlands, you have 20,000 in public land, and 21,000 in private land.

You go on over to the Olympic National Park in Washington, you have 540 acres of State land, and 7,500 acres of private land.

We have Point Reyes in here. This Point Reyes Park, I tell you, is a firecracker that fused out in my State recently. But this is an interesting statistic. In the Point Reyes National Seashore Park, you have 220 acres of State land, and 46,921 acres of private land.

I just mention Point Reyes Park in passing, gentlemen, because I have something to say about land exchanges at the very end of my testimony. I have a protective clause in my amendment with regard to land exchanges. Some people in my State are very much concerned with land exchange in connection with Point Reyes, and I think they have cause to be. But they do not seem to be very much concerned about land exchanges in connection with dunes park. The shoe is on the other foot, I guess.

Mr. Chairman, now that the whole table is in, I want to say that it speaks for itself, and loudly for itself, on the point that I made. Private ownership within a park, we know from years and years of experience, does not interfere with the use of the land for park purposes.

In yet another report which I received from the National Forest Service on December 2, 1963, I obtained the following ownership figures:

"The total acreage of land within established national forests and related approved national forest purchase units is 221,434,180. Of this area, 39,216,638 acres do not have national forest status. An accurate breakdown of this nonnational forest land between private, State, and other governmental ownerships is not available. We would estimate, however, that at least 95 percent of it is privately owned."

Thus, Mr. Chairman, there are approximately 38 million acres of privately owned lands in our national forests throughout the country. The report goes on to say that "in the national forests of the Pacific Northwest there are estimated to be over 4,000 ownerships of private lands, of which about 6 percent are in tracts of over 1,000 acres."

The meaning of these facts is obvious. They show beyond a shadow of a doubt that there is no absolute and urgent requirement to condemnation of private lands in order to establish and administer our national parks and forests, except where there is so little public land available that condemnation must be used in order to have any public park at all. Such was the case with Cape Cod and the Indiana Dunes, which as I say, I support. Above all, it is clear that over the years, private and public ownerships have existed in apparent harmony within our Federal forests and parks.

As I have pointed out, publicly owned lands are not in short supply in the case of the Oregon Dunes National Seashore project. There is no need for the Federal Government to acquire all the land within the seashore, any more than there was such a need in the case of the Teton National Park or Zion National Park or any number of such fine national parks. Condemnation must be used only where absolutely necessary. In a case such as the Oregon Dunes the tremendous power of condemnation should be held in abeyance.

It is for this reason that I submit this amendment to prohibit the Secretary of the Interior from using condemnation in the Oregon Dunes National Seashore project. I ask that this amendment be considered by the subcommittee, and be included in the printed record of the hearings on S. 250 at the close of my statement.

Senator JORDAN (presiding). It is so ordered.

Senator MORSE. I direct the subcommittee's attention to two important features of my amendment. First, my amendment is so phrased as to eliminate the word "exchange" in dealing with authority to be conferred upon the Secretary to acquire private lands for inclusion in the park.

In recent weeks a very serious controversy erupted in the State of Oregon over inquiries that were made by the Bureau of Land Management concerning the feasibility and desirability of negotiating the exchange of certain public domain lands in Oregon for privately owned lands in the Point Reyes Park. Because of this controversy, I doubt seriously that exchanges of Federal lands for private lands will be considered in connection with any dunes park that may be established in Oregon. Therefore, I have deleted from my amendment any reference to land exchanges in acquiring privately owned lands for inclusion in the dunes park.

If the subcommittee should decide to retain such authority to exchange Federal for private lands, I hope the subcommittee will include language in its bill or in its report which will make it clear that exchanges should be initiated only at the direction of the Secretary of the Interior in close consultation with the appropriate advisory board of the Department of the Interior and should be consummated only with the specific approval of the Secretary.

Let me digress just a moment to make it perfectly clear to the people of my State, in case any question is raised about my testimony here this morning, that the senior Senator from Oregon is not opposed to land exchanges whenever it can be shown on the facts that the land exchanges are in the public interest. There is often a public interest to be supported when there is a land exchange that is in the interest of a private industry and not to the disadvantage of the public.

Mr. Chairman, land exchanges in connection with timberland is not new in the administration of public lands by either the Bureau of Land Management or the Forest Service. I do not want this record to cause anyone to think that the senior Senator from Oregon is against any land exchanges. I am not. But there are some problems connected with land exchanges that were brought out

by the Point Reyes controversy of a few weeks ago, and in the interest of caution I have eliminated land exchanges from my amendment. If, however, they can show that any proposed land exchange would be in the public interest, I would not oppose it, provided the two safeguards I mentioned above are guaranteed.

These conditions are, No. 1, that there be no land exchange in the dunes park area except after consultation with the so-called advisory board. These advisory boards consist of lay citizens who advise the Federal Government concerning the feasibility, justification, and public interest questions that may be inherent in the proposed land exchange.

The second point is that any proposed land exchange should not interfere with the so-called O. & C. formula. This formula has existed for many, many years. It is an equitable formula whereby the Federal Government pays into the county a certain amount of money in lieu of taxes to support the necessary county governmental operation, particularly in connection with the building of access roads and highways into our forests in connection with our fire protection. When over 50 percent of the land in a State is owned by the Federal Government, the nontaxability of that land creates a good many problems in one county after another.

No one can appreciate that fact more than your witness this morning, who happens to be chairman of the Senate Subcommittee on Education. In all our education bills we have to meet this problem of ever-increasing real estate taxes to support the schools, until in many parts of the country we are at the point where the real estate taxes just can't justifiably be increased any more for the schools.

The point of this digression is to make certain that if there is any land exchange carried out under this bill, that it will not in any way diminish the rights of the counties in connection with a return from the O. & C. formula, and that the advisory boards will be consulted and have an opportunity to be heard. I don't need to tell the members of this committee that in a democracy there is no substitute for a full public disclosure of the public's business. We would not have had the Point Reyes controversy, at least to the intensity it has developed, in my judgment, if there had been in advance more public disclosures of the public's business. And I am criticizing no individual. It is just one of these things that developed. And I want to say at the end, as I have said on the floor of the Senate, that no evidence has been presented to me to date to support the allegations made against the Department of the Interior in the Point Reyes case. There are some members of the public in the room who have made the allegation that the Department of the Interior acted in bad faith, but they have not supported it with good evidence. I have said to the Secretary of the Interior and others, including the Director of the Bureau of Land Management, that they could have greatly improved their status procedurally in regard to this controversy if there had been more public disclosure. But I have had no showing of bad faith, just allegations.

And in this regard, I happen to think that the Department of the Interior and the Secretary of the Interior can be sustained as acting in good faith. That has not anything to do, however, with my other comment, to the effect that they ought to have disclosed the facts about the case. That would have prevented the suspicions from having developed into such a white heat.

Now, Mr. Chairman and members of the committee, my amendment also contains in the last paragraph thereof the requirement that the Secretary shall report to the Congress on or before January 31, 1967, concerning the results of his efforts to acquire essential private property by purchase or negotiation.

Under this section, if the Secretary should report to us that certain essential property can be acquired only through condemnation, I would be glad to give consideration to legislation specifically authorizing the condemnation of such private property. But again, let me emphasize, condemnation of private property interests should be pursued only as a last resort and when an urgent need has been demonstrated. Let me take you through the application of my amendment. I have mentioned these 15 private holdings. Do not forget that there is a lot of private property here that does not happen to be residential, and its fee simple title is just as precious to the owner as one which has a piece of property with a house on it.

Let me assume that you pass the bill with the condemnation provision out, and the Secretary of the Interior decides that he wants to have a piece of property because he thinks public necessity makes it essential for the park purpose. He then goes to the owner of the property and he tries between now and January 31, 1967, to negotiate a purchase. And the owner says, "I will not sell under any circumstances at any price." The Secretary of the Interior only has the right to offer him a fair market value for the property. But the owner simply says, "Even if you offered me more, I would not sell."

Now, we know that in making such offers, cities and States and the Federal Government take into account the cost to the city, State, or Federal Government of a condemnation proceeding. That is recognized by the courts to be within the framework of a fair market value for the property.

But let's assume that the Secretary just can't buy it. What can he do under my amendment? He can come to the Congress, and he can offer a bill calling for the condemnation of that particular piece of property.

Now, don't give me the argument that it is cumbersome to pass private bills. All of us on the committee, including the senior Senator from Oregon, pass judgment on many private bills each year. We know that it is not difficult to get a private bill through if it is meritorious. But under this procedure there is protection for the fee simple owner. If the Secretary can really show that this particular residence in the dunes area, for example, ought to be taken from the standpoint of public necessity, let the Secretary convince you gentlemen. He can do it in a couple of hours or less in a hearing. Let him convince you, and we will pass the bill.

This is not going to give you a great flood of bills. I will tell you what I think will happen. In 95 percent of the cases, the Secretary can negotiate in that period of time the purchase of the property.

And lastly, may I say, I want to thank the subcommittee for this opportunity to discuss my views on the question of condemnation in relation to the otherwise highly commendable Oregon Dunes National Seashore project. I hope that the subcommittee will see fit to adopt my amendment to S. 250 on behalf of the private landowners of this country.

Mr. Chairman, I would also like to discuss briefly a provision in this bill which has been designed, I am sure, to reduce the effects of condemnation in the Oregon Dunes on the private property owners. Although I appreciate the efforts of my colleague to moderate the impact of the condemnation provisions of this legislation, I do not feel that the provision to which I am about to allude is sufficient to justify condemning all private properties in the seashore.

This provision is found in section 4(a)(1) of the bill. It provides that:

"Any owner or owners (hereinafter in this section referred to as 'owner') of improved property on the date of its acquisition by the Secretary may, as a condition of such acquisition, retain the right of use and occupancy of such property for noncommercial residential purposes for a term not to exceed 25 years, or for a term ending at the death of such owner, the death of his spouse, or the day his last surviving child reaches the age of 21, whichever is the latest. The owner shall elect the term to be reserved."

I would like to point out, Mr. Chairman and members of the committee, that this provision still amounts to a serious reduction of the fee simple rights of the property owners in the area, and eliminates a very important aspect of the "bundle of rights" that constitute traditional fee simply ownership. To my mind, such a provision is not an adequate substitute for the prohibition of condemnation which is included in my amendment.

In paragraph (c) of this same section, the bill provides for what amounts to zoning restrictions on the lands retained for use under the provision which I just cited. This paragraph provides in part that:

"The term 'improved property,' whenever used in this act, shall mean a detached, one-family dwelling the construction of which was begun before March 19, 1963 (hereinafter referred to as 'dwelling'), together with so much of the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structures accessory to the dwelling which are situated on the land so designated. The amount of the land so designated shall in every case be at least 3 acres in area, or all of such lesser amount as may be held in the same ownership as the dwelling."

I would like to make it perfectly clear to the committee that I am not opposed to local zoning restrictions on private properties held within the park. But the zoning should be worked out at the local, not the Federal level. So long as such local zoning provisions are consistent with the principle of fee simple ownership and are necessary to preserve the beauty and public usefulness of the park, I support them.

Does anyone think that the Department of the Interior would have any trouble with a local zoning board with regard to a necessary zoning regulation to protect the public park purpose? That public park purpose will be the greatest commercial asset of the area.

But here again, why do we want to deal on the basis that you cannot rely upon our own people at the grassroots of America?

Of course, we can.

And I want to say that I have provided amendments here that, in my judgment, will make this bill one which will be highly acceptable in my State, that will bring to an end a controversy which, in my opinion, will never be brought to an end by the passage of S. 250 in its present form.

(The amendments referred to are as follows:)

"[S. 250, 89th Cong., 1st sess.]

"AMENDMENTS

"Intended to be proposed by Mr. MORSE to the bill (S. 250) to establish the Oregon Dunes National Seashore in the State of Oregon, and for other purposes, viz:

"On page 2, line 5, immediately after 'SEC. 2.', insert '(a)'.

"On page 2, line 12, beginning with 'exchange', strike out all through 'the' on line 24 and insert in lieu thereof the following: 'donation, or purchase with donated or ap-

propriated funds, such lands, submerged lands, waters, or interests therein, as he considers commensurate with the adaptability of such lands and waters to the purposes of this Act, but in no case shall (1) the Secretary have the authority, except as provided in subsection (b) of this section, to acquire, for the purposes of this Act, any such lands, waters, or interests by condemnation, and (2) any lands, submerged lands, waters, or interests therein, be administered under this Act as a part of the seashore, if such lands, waters, or interests were acquired by the State of Oregon under its power of condemnation for the specific purpose of making such lands, waters, or interests a part of the seashore. The'.

"On page 3, between lines 4 and 5, insert the following new subsections:

"'(b) In any case where the owner and the United States agree, the power of condemnation may be used as a means of acquiring a clear and marketable title, free of any and all encumbrances.

"'(c) As soon as practicable following the date of the enactment of this Act, the Secretary shall offer to enter into negotiations with the owner of any property which the Secretary is authorized to acquire under the provisions of this section with a view to acquiring such property by purchase (but not by condemnation) or by donation, but in no case shall the Secretary be authorized to pay more than the appraised fair market value of that property.'

"On page 5, beginning with line 6, strike out all through line 13.

"On page 5, line 14, strike out '(c)' and insert in lieu thereof '(b)'.

"On page 6, line 21, beginning with the colon, strike out all through line 2 on page 7 and insert in lieu thereof a period and the following:

"'In no case shall the Secretary have authority to acquire any such scenic easements or other less-than-fee interests by condemnation.'

"On page 7, beginning with line 3, strike out all through line 9 and insert in lieu thereof the following:

"'SEC. 5. The Secretary shall, on or before January 31, 1967, submit to the Congress a report containing the results of his efforts pursuant to section 2(c) to acquire, by negotiations, the property authorized to be acquired under section 2 of this Act, including his views as to whether (1) any such property with respect to which he has been unable to acquire by negotiations can be acquired only by condemnation, and (2) the acquisition of such property is essential to the operation of the seashore.'"

Senator MORSE. I ask now to put in the record at the end of my remarks, Mr. Chairman, a very interesting memorandum that I have received from the Department of the Interior on the subject of scenic easements, because the bill refers to the scenic easement. As a lawyer, I am still very much in doubt as to what a scenic easement is. Under the language of the Department of the Interior, this document would be an excellent examination question to give on real property in a course in a law school. And the assignment would be to make reason out of this document. I would be very much interested in the examination answers. I cannot make reason out of it, but if any of you lawyers on the committee can help me reach a conclusion as to what the law of a scenic easement is via the Department of the Interior, let me in on the secret.

I do think that you should not leave this bill in such doubt as to what the legal meaning of a scenic easement is.

And I want to thank you for your patience and your kindness and courtesy. I rest my case before the court of the last resort.

Senator JORDAN. The memorandum will be included in the record.

I wish to commend the senior Senator from Oregon on the testimony he has presented to this subcommittee this morning. In my opinion, we had the finest discussion on private property and the question of condemnation as it relates to the acquisition of private property for recreation purposes that has ever been presented before this committee during my service.

Senator MORSE. Thank you, Senator.

Senator JORDAN. I am proud of the fact that all the members of the minority are here to hear this learned dissertation. And I regret very much that none of the members of the majority are here. I urge that they read the statement of the distinguished Senator from the record.

Senator SIMPSON?

Senator SIMPSON. Mr. Chairman, I want to associate myself with you in your remarks about this presentation. I think it is a monumental thing.

I think you have done something here that will give guidelines for the future that we have been looking for. I think this differentiates between the necessity for condemnation in a place like Cape Cod and these areas out in the far and mighty West where there is a lot of territory and that is something we have been groping for. I hope that the Interior Department will look at this with a great deal of concern and dedicate itself to an adoption of it, because I think it is what has been needed. I certainly want to compliment you on that score.

Now, going from the sublime to the ridiculous, Senator MORSE—and not so ridiculous—I notice that there are a lot of oil and gas leases off the shore of a portion of this proposed seashore park. Will those be locked up in this matter?

Senator MORSE. No; they are beyond high tide, they will not be locked up at all. There will be access to them.

Senator SIMPSON. Are they within the area that will come under the jurisdiction of the Interior?

Senator MORSE. Yes, if they find any oil beyond the high tide off the shore. But the State retains jurisdiction, you see.

Senator SIMPSON. These are Department of Interior leases?

Senator MORSE. They are beyond the State beaches. My recollection is that they are being administered by the Department of the Interior.

Senator SIMPSON. I take it, Senator MORSE, that the present proposal as to the boundaries is agreeable to you provided the amendments are made?

Senator MORSE. Yes. I have poured over these maps by the hour, although I did not bring them with me. I was going to hang them up and discuss them, but I did not think that was necessary. I know this committee has worked on this matter, and that you know the area pretty well. If you sit any six people down at a table, they might vary as to where they personally think the boundary should be. But I am perfectly willing to take the boundaries where they are, excluding the condemnation of the private property therein.

Senator SIMPSON. I certainly want to compliment you on this consideration, because you have made a "corker" here, I want to tell you that.

Senator MORSE. I want to thank you and Senator Jordan for your kind remarks.

And I want Senator FANNIN to know how much I appreciate his being present this morning.

Senator JORDAN. Senator FANNIN?

Senator FANNIN. I would like to concur with my colleagues, Mr. Chairman. I concur with them wholeheartedly.

I feel that you have added a great precept here, Senator MORSE, in the protection of private property rights. And I have been very much impressed with your coverage of this subject. You are to be commended for that.

And I would like to ask just one question in relationship to the 30,000 acres of land that is involved in this particular project. I notice that there are 6,000 acres of water. And I am wondering, is that 6,000 acres of water in an area where it would be used for recreation purposes?

Senator MORSE. Yes, some of it would be lake water.

Senator FANNIN. Would the private property be very much involved around the shore of that body of water?

Senator MORSE. The authors of the bill have done their very best, in my judgment, to reduce any interference with the private ownership around the lakes, although some private property around the lakes has to be taken. But there is clear accessibility to the lakes on the other side of the highway. There was some talk for a while that the highway should be used as the dividing line, and the question was raised as to whether or not there would be sufficient accessibility to fresh water.

Senator FANNIN. But you don't know what percentage of the shoreline of the lake is owned by——

Senator MORSE. I don't know it, but I will supply it for the record, if I can find it.

Senator FANNIN. Thank you.

(The information requested follows:)

"Upon reviewing my maps in response to Senator FANNIN's question, I obtained the following approximate figures concerning ownership of lake frontage lands included in S. 250:

"1. Woahink Lake: all public land (State park).

"2. Siltcoos Lake: all private land (tree farms: Crown-Zellerbach and Sparrow-Pacific).

"3. Tahkenitch Lake: all private (Crown-Zellerbach and Sparrow-Pacific).

"4. Threemile Lakes: approximately 50 percent private unimproved tracts; 50 percent National Forest Service.

"5. Clear Lake: all public (State park)."

Senator MORSE. I want to thank you very much, gentlemen. It is very kind of you.

(The memorandum referred to follows:)

"The first use by the National Park Service of scenic easements was in connection with the Blue Ridge and Natchez Trace Parkways. Records of the National Park Service indicate that scenic easements have been imposed on somewhat more than 4,500 acres along the right-of-way of the Natchez Trace Parkway and over somewhat more than 1,200 acres of the Blue Ridge Parkway. The restrictive provisions comprising these easements are relatively simple and provide for the retention of the existing agricultural or wooded scene.

"The Service also has a scenic easement on 48 acres of land at Cumberland Gap National Historical Park, with restrictions similar to those used on the parkways. A copy of the Cumberland Gap deed is enclosed.

"Scenic easements are held on 46 acres at Harpers Ferry National Monument and on 21 acres at Manassas National Battlefield Park for the purpose of preserving important historical scenes. A copy of the Manassas deed is enclosed.

"The scenic easement imposed on the 47-acre Merrywood tract in Fairfax County, Va., along the Potomac River through judicial proceedings contained the following restrictions:

"1. That buildings, utility pole lines and structures may be erected on said land only for farm or single-family residential purposes. No commercial buildings, multi-family residential buildings or other industrial or commercial structures shall be erected on said land, and not more than one residential dwelling with appropriate accessory structures shall be constructed on a given lot. No building or structure of any type may be erected on said land to a height of more than 40 feet measured from the

natural grade at the middle of the front of the building or structure to the highest point of the roof or parapet.

"2. That said land shall not be used for any professional or commercial activities except such as can be and are in fact conducted from a residential dwelling without alteration of the dwelling.

"3. That all trees may be removed from such land where reasonably necessary for the construction of streets, driveways, utility pole lines, and structures for farm or single-family residential purposes; but that, in order to preserve the scenic easement acquired in the public interest, except for such designated purposes, no tree larger than 8 inches in diameter and more than 30 feet in height shall be removed from such land or destroyed without the written permission of the Secretary of the Interior or his designee.

"4. That no utility transmission lines may be erected on such lands and no interests in such land shall be granted for this purpose without written permission of the Secretary of the Interior or his designee.

"5. That no dump of ashes, trash, sawdust, or any unsightly or offensive material shall be placed upon the land at any point where such dump can be viewed from the river or public road.

"6. That no sign, billboard, or advertisement shall be displayed or placed upon such land, except one sign not greater than 36 inches by 24 inches may be placed upon an owner's property advertising the sale of the property. This limitation shall in no event preclude the placing on such land of a sign stating solely the name of the owner of such land and/or the address of the property.

"7. That no part of any of such land shall be sold in lots smaller than 1 acre or which will leave a remaining parcel of less than 1 acre.

"In the Piscataway Park area authorized by Public Law 87-362 to be established to protect the view from Mount Vernon, the National Park Service has acquired by donation scenic easements over some 65 parcels of 5 acres each. A copy of the deed form used for this purpose is enclosed.

"The Service has been authorized to acquire scenic easements at Antietam National Battlefield Site and has drawn up a document especially for this purpose. The Service has not, however, been fortunate enough to secure any of these easements. A copy of this form is enclosed.

"For further information references may be made to Technical Bulletin 36 of the Urban Land Institute entitled 'Securing Open Space of Urban America: Conservation Easements' for a very comprehensive discussion of this entire subject. The address of the institute is 1200 18th Street NW., Washington, D.C."

EXHIBIT 3

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., December 17, 1965.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR WAYNE: Replying to your November 8 letter, so far as the Oregon Dunes legislation is concerned, I want to make it clear that my letter of October 15 to Senator JACKSON was sent to advise the Senate Interior Committee of identical recommendations sent the same day to the House Interior Committee, in keeping with customary practice.

I participated directly in deciding upon the content of the October 15 letter, and I want now to describe its background to you and to make crystal clear to you our present position on the Oregon Dunes land exchange issue, taking into account your letters.

When I testified before the House committee on July 19, the land exchange issue at Oregon Dunes was raised very directly by Congressman WYATT. It was obvious to me that further effort to proceed with a land exchange provision would only fan anew the flames of the earlier controversy concerning proposed Point Reyes exchanges. After the hearing, I told Congressman WYATT and my staff associates that I favored dropping the land exchange provision completely from the bill. Later Congressman DUNCAN came to my office and expressed a conviction that a land exchange provision should be retained. I reiterated my position, but suggested to BOB that he work with my legislative counsel and with Congressman WYATT in an effort to develop language that would be acceptable to the Oregon delegation and others who were concerned—including members of the O. & C. advisory board.

When I signed the October 15 letter, I naturally presumed that the newly developed land exchange language worked out with BOB DUNCAN represented a solution satisfactory to all concerned. My regret now is that my people did not consult specifically with you and your staff people prior to submitting the letter. Knowing of your direct interest, had I personally participated in the followup discussions with BOB DUNCAN I would have insisted that your views on the newly proposed language be ascertained before the letter was prepared.

Fortunately, time permits full consideration of your views before the committees resume their work.

A matter raised in your July 27 letter that I want to clarify is that we do not regard the land exchange provision of the Point Reyes Act as a directive to approve exchanges that ought not to be approved or a license to pursue exchanges carelessly, without due process, or in a manner contrary to the public interest. We do regard the provision as a statutory directive to give careful consideration to land exchanges under the exchange authority embodied in the act or other available authority as a supplement to the land purchase provisions of the act. The Point Reyes, Oregon Dunes, and wild rivers land exchange provisions, like that in section 8 of the Taylor Grazing Act, are, by their own terms, limited delegations of legislative discretion, including discretion to refuse to make an exchange that is found to the unwise. Full opportunity to weigh public interest and other aspects of each exchange is provided. This is far different from the "blank check" phraseology used by some to describe it.

As you can gather from the tenor of this letter, I have a very negative attitude at present toward the wisdom of any Oregon Dunes exchanges involving any public land under the present and proposed legislation. If we should go ahead, however, the principles intended in our presently recommended language would eliminate the revested O. & C. Railroad lands and the reconveyed Coos Bay Wagon Road grant lands from selection in exchange for Oregon Dunes lands. Public domain chiefly valuable for forest management would be excluded. Exchange could be made only of so-called vacant public domain that is classifiable as (1) required for the orderly growth and development of a community, or (2) chiefly valuable for residential, commercial, agricultural, grazing, or industrial uses or development. The Department would be restricted to this particular exchange authorization only, ruling out exchanges under statutes of general applicability such as section 8 of the Taylor Grazing Act. Further study since October 15 has indicated to us that the language needs perfection to accomplish this intention with precision.

I feel there is no need to comment on most of the timber management questions raised in your letters because, under the principles of our amendment, authority to exchange lands chiefly valuable for forest management would not be delegated to the Department and existing authority to exchange public domain chiefly valuable for forest management would be withdrawn.

With regard to the so-called unreserved public domain in western Oregon, the pending withdrawal application has not been finally acted upon. I think it should be disposed of soon. While it is pending the lands are segregated from agricultural entry and scrip selection only. They are not segregated from State selection or exchange on the motion of the Government. The commitment of these lands to sustained yield management has never gone to the point of negating future exchanges generally. One reason for this is that exchanges to rectify land patterns are a tool of forest management itself.

You are fully justified in raising the problem of inconsistency between land exchange aspects of Oregon Dunes and wild rivers. In wild rivers we are dealing with a much wider range of situations but I'm confident we can work out a solution that is agreeable.

You are also correct in concluding that the Classification and Multiple Use Act of 1964 is not a vehicle for classifying lands for exchange. This has been made plain in regulations I signed on October 5 (copy enclosed). Under the regulations at 43 CFR 2410.0-3(j), lands may be determined suitable for sale only under the disposal provision of the Classification and Multiple Use Act. Our October 15 exchange language needs correction in this regard.

At this point in time, the issue is clearly before the Congress whether to broaden the existing authority of the Department to make exchanges at Oregon Dunes, and if so, to what extent; or to strike out the land exchange provision. To be blunt about it, if inclusion of land exchange principles such as BOB DUNCAN and I have suggested continues to raise serious reservations, I think the thing to do is to strike the provision entirely.

What we all need to realize is that there can never be more than a probability that land exchanges can be effected to supplement land purchases. For this reason our preference is to have appropriation authorization and appropriated funds available for the entire cost of purchase. Still, there may be instances where land exchanges could be beneficial to the Government and private parties. Appropriated funds could be saved. Thus we prefer to have land exchange authority available and that it be broader than section 8 of the Taylor Grazing Act. We especially need an exchange provision in the wild rivers bill because section 8 is inapplicable to many of the areas involved.

In summary, I can give you assurance that I will do my best to see that all aspects of public interest and concern in exchange cases will be fully considered in the administrative process. On the basis of our fine relationship over the past 5 years, I am confident we can move ahead without arousing unnecessary and untoward arguments among all land users and conservationists in your State. I'm sure you and I and BOB DUNCAN can work out a sound solution.

Other letters are being prepared and will go forward to you shortly. These include:

1. Letters by Mr. Getty in response to your letters to him of October 21 and November 15 on land exchanges.

2. Letters by Director Stoddard in response to your letters of November 15 and 16 on road restoration and State land selections.

3. Letters by Assistant Secretary Anderson in response to your letter of November 16 on allowable cuts, and in further response to your November 8 letter providing information on landownership and attitudes of landowners in the areas affected by the Oregon Dunes and Rogue River portions of the wild rivers bill.

I hope we can have a candid conference at your earliest convenience after your return.

Most sincerely,

STUART UDALL,
Secretary of the Interior.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., December 30, 1965.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: This letter is the further response which Secretary Udall mentioned under item 3 at the end of his letter of December 17. It covers information on land ownership and values in connection with the Oregon Dunes National Seashores (S. 250) and the portions of the Rogue River Wild River area which the Bureau of Land Management would manage (S. 1446).

With respect to Oregon Dunes, attachment A recapitulates the information you requested about ownership, type, and value of land. It should be read with the understanding that the National Park Service estimates the value of the private land to be $1,452,000, assuming the passage of S. 250 as recommended by this Department. We reported an acquisition cost of $2 million to the Senate Committee on Interior and Insular Affairs, which includes $1,452,000 plus the margin for contingency and administrative overhead in effecting the acquisition.

These acquisitions could, of course, be funded from the land and water conservation fund were Congress to appropriate from it.

The National Park Service has not identified the persons who might be interested in transferring their land by exchange. The National Park Service does not approach landowners for the acquisition of their land until after authorizing legislation has been passed. At the hearings Crown-Zellerbach and Sparrow Pacific indicated interest in exchanges involving forested land.

With respect to the Rogue River Wild River area which would be authorized by S. 1446 as reported to the Senate, the Bureau of Outdoor Recreation has identified 136 private tracts in the section of the wild river which would be administered by the Bureau of Land Management. The particular uses are set forth in attachment B.

A total of 984 acres of private land is involved. Land values along this reach of the Rogue are now computed by the front foot. According to a recent estimate by the Bureau of Land Management, $40 a front foot is the current value for the fee title. The Bureau of Outdoor Recreation in cooperation with the Bureau of Land Management and the Forest Service is reexamining the land acquisition costs for the proposed Rogue River wild river. When this reexamination is completed we will inform you.

Until the reexamination is completed we will be unable to give you a definitive answer to your question "If all the requisite private lands for the Rogue Wild River area come from O. & C. land exchanges, what volume and value of timber would be involved and what would be the reduction in allowable cut?"

With respect to timber on the private holdings within the area which BLM would administer, it informs us that none of the private lands carries a significant volume of commercial timber.

With respect to the public timber we see only a minor, if any reduction of allowable cut because of the enactment of S. 1446. In 1958 the Department issued Public Land Order No. 1726 commonly referred to as the Rogue River Recreational Withdrawal. In 1961, after recommendation from the O. & C. Advisory Board, the State director reduced the allowable cut by 2 million board feet. This reduction includes the commercially significant timber which would be affected by enactment of S. 1446.

Within the area authorized by S. 1446 as reported, the BLM estimates the present timber values in round figures at $290,000 the volume approximately 11 million. If an allowable cut were applicable it would be on the order of 190,000 board feet.

In sending the executive communication of March 3, 1965, which became S. 1446 we attached "Wild River Summary Statistics (tentative)" found on page 12 of the hearings. On April 22, 1965, Secretary Udall testified. He also filed a prepared statement, the Rogue River portion of which appears on pages 66 and 67.

Please disregard any breakdown of the figures in these two documents respecting mode of acquisition, particularly those pertaining to exchanges. The acreages identified for exchanges were field estimates of the possible acreage that might be acquired by exchange. They have no reference to any specific tracts. To our knowledge no persons have approached Interior officials regarding exchanges nor have any officials of the Department discussed with landowners whether exchanges would be sought.

As in the case of Oregon Dunes any land acquisitions could be financed from the Land and Water Conservation Fund were Congress to so appropriate from it.

Sincerely yours,

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

Attachments.

ATTACHMENT A

Private holdings in proposed Oregon Dunes National Seashore

Private ownerships	46
Improved residential properties	19
Improved commercial properties	5
Tree farms	2
Other improved properties	20
Type of private land (acres)	4,125.20
Unimproved lands	3,757.60
Woodland	1,067.27
Tree farms	2,690.35
Improved land	367.58
Residential	269.07
Commercial	92.61
Boy Scouts	5.90
Value of private land (estimated fair market value)	$1,452,000
Improved properties	235,000
Unimproved properties	1,216,650

ATTACHMENT B

Private holdings in BLM portion Rogue River Wild River area

Farm units	57
Residential	46
Unimproved	24
Industrial (power)	2
Resorts and lodges	5
Gravel operation	1
Mining development (abandoned)	1
Total	136

Mr. DOUGLAS. Mr. President, the Nation's conservationists are indebted to the Committee on Interior and Insular Affairs and its able chairman for having brought forth for the consideration of this body a wild rivers bill. They salute the senior Senator from Idaho for having introduced and worked so hard for favorable consideration of this bill. No need in the conservation of our natural resources is more pressing than the need to preserve for all time representative stretches of our free-flowing rivers essentially in the same condition as our fur-trapper and explorer forebears found them, for the inspiration of future generations of Americans.

Truly wild rivers are in danger of becoming extinct, thanks to overdevelopment, pollution, and impoundments. Unless we do something now before it is too late, coming generations of Americans will never know the meaning of a stream whose purity of water and whose freedom from encroachment and exploitation should be part of our heritage.

Therefore, I say to you, let us get on with the job of establishing a National Wild Rivers System. Let us take steps to do the job right, for a national heritage is at stake. What I am referring to is the need at an appropriate time to incorporate into this legislation a river classification system to save the few truly wild streams in this country from being lumped with those of lesser quality and threatened with short-sighted developments which will bring them down to the level of less wild, more civilized, and less valuable streams.

Call them what you will—primitive, pastoral, and developed, or wild, semi-harnessed, and harnessed—we must make provision for the protection of such truly wild rivers as the Salmon, the Flathead, the Yellowstone, and the Snake in their wilderness state, as well as save in their free-flowing condition such less wild but still valuable waterways as the Susquehanna and the Potomac.

They should be protected not only with some manner of classification system but also by the acquisition of a generous width of streambank on either side, where the land is not already in Government hands. Condemnation may be necessary to proceed effectively with this program.

Whether an advisory board would be a help or a hindrance in furthering the objectives of this legislation is open to question, I think.

But let us proceed now to establish a Wild Rivers System through passage of this measure.

Mr. MUNDT. Mr. President, I have spoken many times from this floor in support of conservation measures for this is a subject close to my heart. Today I am happy to have an opportunity to do so again.

We have before us in S. 1446, the National Wild Rivers System bill, legislation which in principal is vitally needed and which, with appropriate provisions to safeguard the rights of the various States by way of constant review of the best utilization of the streams in question with respect to the public interest of the individual States, is, I believe, acceptable to our governmental system. The bill establishes a national wild river system which initially comprises segments of 5 rivers and provisions are made for future study, and possibly subsequent inclusion, of 11 additional rivers.

These designated rivers have been selected because they are of unusual scientific, esthetic, and recreational value;

and it is hoped that by establishing such a system such rivers and the features that made them worthy of inclusion will be saved for future generations to enjoy as our generation and the generations that preceded us have enjoyed them. Such an objective, I believe, is worthy of our support.

We are privileged to live in a country that was abundantly blessed with natural resources. We also are fortunate in that the American people have had the courage, the initiative, and the perseverance to utilize many of these natural resources while conquering the wilderness, settling the land, and bringing a strong, viable economy to this Nation. This has enabled the United States to progress and grow until we have become the wealthiest, most powerful nation in the world.

This growth, however, has taken its toll. In harnessing and developing our rivers so that they serve mankind we have, out of necessity, drastically changed most of them from their original status. Only a very few worthy of preserving in their natural state remain. The rest have fallen prey to the march of civilization.

Today we have an opportunity to see to it that this legacy of beauty, which all generations owe to this that follow, is not dissipated forever. Today we have an opportunity to provide needed recreational outlets of a unique nature for our children and our children's children.

I must admit that I am always personally reluctant to see nature sacrificed on the altar of progress, although I realize that it is necessary. My feelings on this matter go back many years, even before I had the privilege to serve as State president of the Izaak Walton League in South Dakota in 1929 and subsequently to serve as national vice president of that splendid organization in 1937. My long association with this and other similarly oriented conservation and sportsmen's groups, however, has fortified my belief in the need for strong conservation measures.

With this in mind, I have strived to bring about legislation that I believe is essential to preserve our wildlife and recreation resources, for once we have lost them they can never be reclaimed. To help accomplish this I fought for and was successful in obtaining an amendment to the Interior Department appropriation bill for 1966 to provide a program for endangered wildlife research. Such a program is now, I am happy to say, a reality and is located at the Patuxent Wildlife Research Center in Laurel, Md.

That program was to preserve and protect those species of wildlife that are in danger of becoming extinct. This bill, S. 1446, is similar in purpose; for it attempts to preserve and protect not wildlife, but certainly the habitat of wildlife and, just as important, the beauty of our countryside.

We must realize that this God-given beauty is not inexhaustible. It is, in fact, a dwindling resource. In much of the heavily populated area of the United States, it has been supplanted by a megalopolis constructed of cement and steel. In my home State of South Dakota we are still fortunate in having thousands of acres of land that still respose in their natural setting. None of it will be included in this bill but the principle of preservation and the love of beauty remains the same nonetheless.

In addition, this bill includes the important feature of setting aside rivers that have unique recreation potential. Recreation has taken on added significance during the past decade. It is only natural to assume this trend will continue. To future generations the opportunity to fish, to boat, or to enjoy water sports in an unspoiled, unpolluted, free-flowing river will become more and more important.

In discussing this subject I am reminded of a statement that was contained on a sign erected above the roof of my hometown Izaak Walton League Clubhouse. It said simply:

Saving nature serves humanity.
Let us serve humanity.

Mr. TYDINGS. Mr. President, I am pleased to support the wild rivers bill. It is a historic milestone in a long history of conservation legislation stretching back to the days of Theodore Roosevelt and Gifford Pinchot.

The wild rivers of America symbolize American life itself. The rugged, dynamic, unfettered freedom of the wild rivers churning to the sea exemplify American freedom, American energy, and American progress.

We who came to this land only three centuries ago have been profligate with our natural heritage. Too few of America's wild rivers systems remain after just 300 years of "civilization." Too many of our rivers have been soiled, polluted, and poisoned by greed and carelessness. Too many other streams have been recklessly dammed or diverted to serve some immediate, short-term goal.

The wild rivers bill will save for our generation and for the generations to come some of the few remaining free-flowing wild rivers and river sections which are left us today.

I am particularly pleased that the beautiful Youghiogheny River, which flows through Garrett County in my own State of Maryland, has been included in the bill among the 11 rivers to be studied for eventual incorporation into the Wild Rivers System. The winding, turbulent Youghiogheny, bounded by high cliffs and white pine eminently deserves to be included in the Wild Rivers System.

I want to thank the distinguished members of the Committee on Interior and Insular Affairs who at my request included the Youghiogheny in the bill. I also want to acknowledge the work of Mr. George B. Shields, director of the Maryland Game and Inland Fish Commission, who worked closely with my staff in securing the Youghiogheny's inclusion.

The preservation of the five rivers initially constituting the Wild Rivers System the bill creates, and the eventual inclusion of the 11 rivers, including the Youghiogheny, to be studied for future incorporation in the system is a significant step forward in our efforts to preserve America's inheritance of natural beauty.

Mr. HART. Mr. President, the committee, its distinguished chairman, and the senior Senator from Idaho are owed the thanks of all of us for bringing S. 1446, the wild rivers bill, before us today. This bill, which would establish a National Wild Rivers System, represents a great step forward in protecting and enhancing some of America's outstanding, free-flowing rivers so present and future generations may use and enjoy them. This basic conservation legislation comes none too soon, for already we have seen in our own time that truly wild rivers have become a rarity.

I strongly support this bill. It would be remiss of me, however, to say that this measure has all that I would like to see in it. Indeed, I would be most happy if the bill contained a provision that would place each stream or segment of stream in the Wild Rivers System in one of three broad categories: primitive, pastoral, or developed. I believe that by classifying the rivers in at least these three categories, Congress would be giving greater guidance to the agencies in their management of our wild rivers. One of the principal objectives of this bill, as I see it, is to preserve as much as possible of the high recreation, scenic, and other values of natural streams placed in the system, and to restore and enhance those that have suffered some impairment by the hand of man, such as pollution or other unwise use. A provision that would require the classification of each stream or stream segments and spell out the kind of management desired in each instance would, I feel certain, be of great help in administering these rivers and their streambank environments.

I would like also to have the bill provide for wider streamside zones to give greater protection to the wild river environments against the possibility of scenic impairment or improper land use.

I fail to recognize that any effective purpose can be served by the National Wild Rivers Review Board which the bill proposes. The work proposed for it can be adequately met by the administering agencies.

But I repeat, this bill represents a great step in the right direction. It represents landmark legislation aimed at preserving our disappearing wild rivers, as the Wilderness Act before it represented landmark legislation in the protection of our vanishing wild lands.

Early passage of the wild rivers bill will increase the opportunity for the House to consider the improvements I have indicated many of us would welcome.

WILD RIVERS BILL SHOULD PASS—NEEDS IMPROVEMENTS IN HOUSE

Mr. PROXMIRE. Mr. President, the 89th Congress is sure to go into the history books as a conservation Congress. The luster of its conservation bill passage record, well polished by farsighted action in the first session, will glow even brighter when the Congress passes legislation to establish a National Wild Rivers Preservation System.

The wild rivers bill is a landmark piece of legislation, recognizing for the first time in Federal law the need to keep

some of our Nation's rivers intact and undammed, their beauty preserved or restored, their waters clean and pure. Such action comes almost too late—very few rivers have escaped man's attempts to improve on nature—and much credit must go to the committee which gave the bill its thorough study, and which recommends it to our consideration for passage today. I commend both the able chairman of the committee, the senior Senator from Idaho, and other sponsors of the bill, for jobs well done on behalf of the preservation of our Nation's heritage of natural beauty.

A Wild Rivers System is urgently needed to protect a unique, irreplaceable, and dwindling natural resource. We must not allow our free-flowing rivers to go the way of the passenger pigeon. And, yet, I suggest that the present legislation is wanting in one important respect. We will be remiss if we do not make certain that this bill actually will preserve some rivers in their primitive condition for future generations. The present language gives no assurance that such will be the case.

I submit that this legislation, to really meet the need it was designed to fill, must have more specific objectives, better definitions, and—above all—a river classification structure. This structure would provide criteria by which free-flowing rivers would be divided into such groups as primitive, pastoral, and developed. The purpose of such categorization is obvious; without it, a truly wild river such as the Salmon—the "river of no return"—would be lumped with pastoral, semideveloped eastern rivers and possibly subjected to the same kind of civilized developments that might be justified for such already-harnessed streams. The results would be tragic. It would be like including Rock Creek Park in the Wilderness System, the implication of which would be that we could have a parkway for automobiles through the heart of every wilderness area.

While urging passage of the pending legislation, I would also raise these questions: Need there be a board of review composed of representatives of diverse interests established to oversee—and complicate—the creation and administration of this Wild River System? Need there be positive prohibition of the use of condemnation proceedings to acquire key river bank property vital to the success of particular projects? And might not the width of the riverbank zones to be set aside be somewhat deeper, to assure adequate long-term protection of the beauty of the rivers?

With these comments made part of the record, I suggest that it is time this body affirm its support of the creation of a National Wild Rivers System. I urge passage of this measure without delay. It is my hope that the recommendations I have offered will be given consideration when this legislation is taken up by the House.

ADJOURNMENT

Mr. CHURCH. Mr. President, if there is no further business to come before the Senate, I move that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 13 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, January 18, 1966, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 17, 1966:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Lisle C. Carter, Jr., of New York, to be an Assistant Secretary of Health, Education, and Welfare.

U.S. MARSHAL

James J. Moos, of Illinois, to be U.S. marshall for the southern district of Illinois for the term of 4 years. (Reappointment.)

NATIONAL CAPITAL TRANSPORTATION AGENCY

The following to be members of the Advisory Board of the National Capital Transportation Agency:

Brig. Gen. Charles M. Duke, U.S. Army. (New position.)

Paul L. Sitton, of the District of Columbia. (New position.)

IN THE AIR FORCE

The following officers for appointment in the Air Force Reserve to the grade indicated, under the provisions of chapter 35 and sections 8373 and 8376 title 10 of the United States Code:

To be major generals

*Brig. Gen. Howard W. Cannon, FV383170, Air Force Reserve.

Brig. Gen. J. Clarence Davies, Jr., FV904230, Air Force Reserve.

Brig. Gen. Donald S. Dawson, FV582705, Air Force Reserve.

*Brig. Gen. Benjamin W. Fridge, FV365107, Air Force Reserve.

Brig. Gen. Richard C. Hagan, FV307796, Air Force Reserve.

Brig. Gen. William C. Lewis, Jr., FV944440, Air Force Reserve.

Brig. Gen. William D. Price, FV86176, Air Force Reserve.

To be brigadier generals

*Col. Earl O. Anderson, FV705280, Air Force Reserve.

Col. Joseph W. Barron, FV423421, Air Force Reserve.

Col. Richard T. Cella, FV378228, Air Force Reserve.

Col. Stanley J. Czyzak, FV364077, Air Force Reserve.

*Col. Dan B. Dyer, FV2212700, Air Force Reserve.

Col. Samuel P. Goddard, Jr., FV561102, Air Force Reserve.

Col. William R. Harpster, FV662780, Air Force Reserve.

Col. Herman L. Harris, FV344153, Air Force Reserve.

*Col. John W. Hoff, FV828596, Air Force Reserve.

*Col. Joseph S. Hoover, FV907184, Air Force Reserve.

Col. Joe M. Kilgore, FV437412, Air Force Reserve.

Col. Tom E. Marchbanks, Jr., FV669752, Air Force Reserve.

Col. Maurice I. Marks, FV367334, Air Force Reserve.

Col. James L. Murray, FV386624, Air Force Reserve.

Col. Gwynn H. Robinson, FV791240, Air Force Reserve.

*Col. Martin H. Scharlemann, FV402684, Air Force Reserve.

Col. John H. Stembler, FV342806, Air Force Reserve.

Col. Evelle J. Younger, FV391177, Air Force Reserve.

The following officers for appointment as Reserve commissioned officers in the U.S. Air Force to the grade indicated, under the provisions of sections 8218, 8351, 8363, and 8392, title 10 of the United States Code:

To be major general

Brig. Gen. Joseph P. Gentile, FG384460, Massachusetts Air National Guard.

To be brigadier general

Col. Raymond A. Fortin, FG420587, Maine Air National Guard.

Col. Roy A. Jacobson, FG2054045, Arizona Air National Guard.

Col. Raymond J. Kopecky, FG740462, California Air National Guard.

Col. Michael C. Maione, FG1849428, New York Air National Guard.

Col. William D. Prescott, FG484947, Pennsylvania Air National Guard.

Col. Valentine A. Siefermann, FG794707, Hawaii Air National Guard.

Col. Walter E. Williams, Jr., FG766815, Colorado Air National Guard.

The following-named officers for appointment in the Regular Air Force to the grades indicated, under the provisions of chapter 835, title 10 of the United States Code:

To be major generals

Maj. Gen. Jack N. Donohew, FR1319 (brigadier, Regular Air Force) U.S. Air Force.

Maj. Gen. Thomas B. Whitehouse, FR1677 (brigadier general, Regular Air Force) U.S. Air Force.

Maj. Gen. Milton B. Adams, FR1712 (brigadier general, Regular Air Force) U.S. Air Force.

Maj. Gen. Charles R. Bond, Jr., FR1937 (brigadier general, Regular Air Force) U.S. Air Force.

Maj. Gen. Horace A. Hanes, FR2060 (brigadier general, Regular Air Force) U.S. Air Force.

Maj. Gen. Thomas K. McGehee, FR3809 (brigadier general, Regular Air Force) U.S. Air Force.

Maj. Gen. Fred J. Ascani, FR4036 (brigadier general, Regular Air Force) U.S. Air Force.

Maj. Gen. Robert W. Burns, FR4142 (brigadier general, Regular Air Force) U.S. Air Force.

Maj. Gen. James C. Sherrill, FR4910 (brigadier general, Regular Air Force) U.S. Air Force.

Maj. Gen. Abe J. Beck, FR5831 (brigadier general, Regular Air Force) U.S. Air Force.

Maj. Gen. Gordon M. Graham, FR7761 (brigadier general, Regular Air Force) U.S. Air Force.

Maj. Gen. Harry E. Goldsworthy, FR1631 (brigadier general, Regular Air Force) U.S. Air Force.

Maj. Gen. William B. Campbell, FR2000 (brigadier general, Regular Air Force) U.S. Air Force.

Maj. Gen. John D. Lavelle, FR4359 (brigadier general, Regular Air Force) U.S. Air Force.

Maj. Gen. Donald W. Graham, FR4361 (brigadier general, Regular Air Force) U.S. Air Force.

Maj. Gen. Otto J. Glasser, FR4368 (brigadier general, Regular Air Force) U.S. Air Force.

Maj. Gen. Duward L. Crow, FR18061 (brigadier general, Regular Air Force) U.S. Air Force.

Maj. Gen. William J. Crumm, FR8663 (brigadier general, Regular Air Force) U.S. Air Force.

Maj. Gen. John W. Vogt, Jr., FR8709 (brigadier general, Regular Air Force) U.S. Air Force.

*Selected by 1963 selection board and submission provided for in section 8373(d), title 10, United States Code.

Maj. Gen. Lucius D. Clay, Jr., FR8956 (brigadier general, Regular Air Force) U.S. Air Force.

Maj. Gen. James W. Humphreys, Jr., FR19928 (brigadier general, Regular Air Force, Medical) U.S. Air Force.

To be brigadier generals

Brig. Gen. Hugh B. Manson, FR1800 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Robert L. Delashaw, FR1913 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Alvan N. Moore, FR2062 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Ernest A. Pinson, FR3117 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. William L. Mitchell, Jr., FR4063 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Robert W. Paulson, FR3871 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. John L. Locke, FR4042 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Andrew J. Evans, Jr., FR4072 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Harrison R. Thyng, FR4414 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Richard A. Yudkin, FR4480 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Kenneth C. Dempster, FR4633 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Albert W. Schinz, FR4646 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Frank B. Elliott, FR4681 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Gordon F. Blood, FR4766 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Sam J. Byerley, FR4875 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Edward H. Nigro, FR4889 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Robert F. Worley, FR4906 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. William Burke, FR4950 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. William C. Lindley, Jr., FR5006 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. John M. McNabb, FR5037 (colonel Regular Air Force) U.S. Air Force.

Brig. Gen. William B. Kyes, FR5064 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Robert L. Petit, FR5213 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Glen J. McClernon, FR5217 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Thomas N. Wilson, FR5255 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. John L. Martin, Jr., FR7556 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Ralph G. Taylor, Jr., FR8660 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Lee V. Gossick, FR8679 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. James T. Stewart, FR8692 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. William H. Reddell, FR8874 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Andrew S. Low, Jr., FR8890 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Richard D. Reinbold, FR8927 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. William C. Garland, FR8934 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Howard E. Kreidler, FR9177 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. George B. Simler, FR9236 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Norman S. Orwat, FR9489 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. John W. Baer, FR9820 (colonel Regular Air Force) U.S. Air Force.

Brig. Gen. David C. Jones, FR9887 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. William W. Berg, FR9961 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Russell E. Dougherty, FR9985 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Richard F. Shaefer, FR10096 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Charles H. Roadman, FR3379 (colonel, Regular Air Force, Medical) U.S. Air Force.

Brig. Gen. Archie A. Hoffman, FR19222 (colonel, Regular Air Force, Medical) U.S. Air Force.

The following Air Force officer for appointment as permanent professor, U.S. Air Force Academy, under the provisions of section 9333(b), title 10, United States Code:

Robert G. Taylor, FR15116.

The following persons for appointment in the Regular Air Force, in the grades indicated, under the provisions of section 8284, title 10, United States Code, with a view to designation under the provisions of section 8067, title 10, United States Code, to perform the duties indicated, and with dates of rank to be determined by the Secretary of the Air Force:

To be majors, USAF (Medical)

Mason C. Reddix, FV3167934.
Donald E. Rice, FV3001332.

To be captains, USAF (Medical)

Martin T. Abrams, FV3140041.
Fritz A. Byrum, FV3114213.

To be captain, USAF (Dental)

Ronald W. Bailey, FV3113979.

To be first lieutenants, USAF (Dental)

Charles W. Chalfin, FV3140850.
Joseph M. Cusimano.
Kenton S. Hartman, FV3165175.
Ralph P. Marra, FV3165178.

The following persons for appointment in the Regular Air Force, in the grade of captain, under the provisions of section 8284, title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force:

Lewis G. Aufdemorte, Jr., FV3036412.
James M. Cooper, FV3056262.
Neal P. Crosson, FV3008334.
Francis P. Dube, FV3058187.
Howard E. Hunt, FV2101082.
Jimmy A. Ifland, FV3056165.
William E. Lawson III, FV3056919.
William B. Lemmon, FV3040434.
Paul W. Martin, FV1855183.
Charles F. Popenoe, FV3056340.
Philip S. Prince, FV3040733.
Abner Prophett, FV3058685.
John B. Rosenow, FV2204488.
Joseph G. Tuner, Jr., FV3008539.
Clarence E. Vogelgesang, FV2254928.
Jerdy A. Wright, Jr., FV3080629.

The following persons for appointment in the Regular Air Force, in the grade of 2d lieutenant, under the provisions of section 8284, title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force:

Distinguished officer training school graduates

Dennis L. Andersen, FV3153158.
Roger L. Anderson, FV3168953.
Clayton M. Babbitt, Jr., FV3170534.
William A. Baker, FV3153227.
David L. Barrow, FV3170538.
Gerald M. Bergeman, FV3153406.
Donald J. Bergstrom, FV3170539.
Richard D. Binkowski, FV3170540.
George R. Blair, Jr., FV3151044.
Norris A. Bohm, FV3153387.
Martin J. Brakas, FV3170542.
David P. Brokaw, FV3153296.
Glenn H. Bryner, FV3170546.
Jerry G. Burrow, FV3170509.
Randolph E. Butler, FV3168928.
Newton I. Carpenter, Jr., FV3153576.
Frederick D. Chamberlin, FV3170551.
Wayne C. Coakley, FV3151669.
John H. Crews III, FV3153586.
Willie J. Dean, Jr., FV3153340.
Charles W. Dillard, FV3170559.
Richard E. Ducharme, FV3170563.
Jerald M. Dveirin, FV3153277.
Richard C. Elliott, FV3153249.
Roy M. Engelke, FV3170568.
Robert W. Fritz, FV3170573.
Daniel E. Gill, FV3170577.
Ellis E. Grace, FV3170578.
Robert E. Guy II, FV3153341.
James L. Hane, FV3170513.
Roger A. Hatfield, FV3170582.
David E. Hedgecock, FV3153103.
Lawrence R. Hedges, Jr., FV3170585.
John E. Horner, FV3153304.
Danny D. Howard, FV3153539.
Donald J. Izbicki, FV3170589.
Eldon L. Janssen, FV3170514.
Kay L. Johnson, FV3170590.
Richard E. Jonas, FV3153346.
Wayne T. Kanemasu, FV3153106.
Ronald L. Kerlin, FV3153389.
Richard E. Kizis, FV3151026.
Gordon R. Knutson, FV3170645.
Patrick J. Larkin, FV3170595.
Arnold T. Leachman, FV3170596.
Monte T. Lorrigan, FV3170600.
Robert T. Malmgren, FV3153119.
Stephen Mardenka, Jr., FV3151249.
Daniel A. Matuska, FV3170687.
Ralph D. Maynard, FV3153246.
Harry T. McCardell, FV3170607.
Richard P. McElveen, FV3170523.
George McKenzie, FV3153281.
Larry A. Myers, FV3170611.
Paul A. Nafziger, FV3170525.
Stephen B. Normand, FV3153368.
Robert C. Osterhout, FV3151165.
David R. Pitts, FV3170618.
John E. Poast II, FV3153486.
Dennis H. Quine, FV3170526.
Michael Saitta, FV3153226.
Donald M. Sartori, FV3170621.
George L. Schenck, Jr., FV3150941.
Peter J. Skeffington, FV3153121.
Robert D. Smith, FV3170529.
Stanley W. Stock, FV3153305.
John W. Swanson, FV3153110.
John R. Sweeney, FV3153140.
George J. Terry, Jr., FV3153198.
Wayne A. Tongue, FV3170635.
Richard L. Vergauwen, FV3170637.
Robert E. Walkup, FV3153222.
George W. Watt, FV3170638.
Douglas A. Weaver, FV3170639.

The following distinguished military graduates of the Air Force precommission schools for appointment in the Regular Air Force under the provisions of section 8284, title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force:

Abbott, Fred L., FV3160104.
Adams, Robert D., FV3153062.
Adams, Thomas R., FV3150377.
Ahern, Donald E., FV3152017.
Alenduff, Joseph R., FV3158691.
Alexander, Jon R., FV3152643.
Aliano, Joseph D., FV3150374.
Allbritton, Leland J., Jr., FV3152818.
Andersen, David M., FV3151447.
Anderson, Norman S., FV3161130.
Anderson, Reed M., FV3151301.
Anderson, Robert J., FV3168813.
Anthony, John T., FV3152015.
Aplin, Charles C., FV3151341.
Arbuckle, James H., FV3161596.
Archey, Walter J., Jr., FV3163540.
Astor, Wally G., FV3168941.
Atwood, Argyle P., Jr., FV3148836.
Austin, Charles D., FV3148607.
Baker, Dan S., FV3157487.
Ball, James A., FV3161598.
Barber, John E., FV3161040.
Barker, John K., FV3152991.
Barker, Ralph E., FV3168943.
Barkman, Larry R., FV3149531.
Barnes, Albert M., FV3159819.
Barnes, Peter A., FV3161548.
Barres, Robert B., FV3152082.
Bartlett, Dennis R., FV3152141.
Bartlett, William E., Jr., FV3157304.
Barton, Robert A., FV3151550.
Bates, Gaylon M., FV3152287.
Bearry, Tommy B., FV3153086.
Beck, Louis R., FV3168816.
Belden, William J., FV3160062.
Berg, John A., FV3152762.
Bergeron, Howard P., FV3159296.

Berka, James W., FV3160037.
Best, Donald L., FV3172912.
Bettis, Jerry D., FV3152414.
Bettis, Jerry R., FV3161344.
Beveridge, John W., FV3161432.
Billingsley, Charles E., FV3163586.
Billingsley, Roy C., FV3151394.
Bixler, Christie E., II, FV3151700.
Black, Robert L., FV3152493.
Blackford, Charles W., Jr., FV3168946.
Blomberg, Dale R., FV3168819.
Blomquist, Graham W., Jr., FV3152293.
Bluford, Guion S., Jr., FV3161602.
Bocook, Charles R., Jr., FV3168820.
Boles, John H., FV3160522.
Bolte, Barbara A., FV3152192.
Borchert, William R., FV3163125.
Bortnem, Lorn S., FV3162078.
Bost, James W., FV3151430.
Boston, William E., III, FV3152587.
Bowler, Patrick E., FV3152361.
Boyd, Leon A., FV3151197.
Bradley, Roger C., FV3153047.
Brauer, Richard F., Jr., FV3159551.
Brister, Robert P., FV3168821.
Britton, Jimmy, FV3150358.
Brown, Barry L., FV3158599.
Brown, Daniel F., III, FV3162189.
Bruce, William C., Jr., FV3168823.
Brustad, Westley O., FV3153004.
Bryan, Dale K., FV3151625.
Bryant, William L., FV3150610.
Buchholtz, Jeffrey L., FV3151225.
Bukauskas, Louis J., Jr., FV3168926.
Bullock, Glen F., FV3161606.
Burgin, Charles W., FV3157310.
Burks, Jacquelin E., FV3152187.
Bush, Norman L., FV3158510.
Butler, Thomas W., FV3158033.
Butler, Viggo M., FV3152646.
Byars, Henry W., FV3168910.
Cain, Joel M., FV3163929.
Camburn, Gilbert L., FV3168950.
Campbell, Jennings B., III, FV3151398.
Cantrell, Richard R., FV3149791.
Cantwell, John L., FV3158664.
Carlson, Bruce F., FV3152300.
Carlson, James F., FV3151457.
Casper, Paul W., FV3158219.
Chapman, Buddy W., FV3168930.
Chapman, Wilbur E., FV3168825.
Chepolis, William M., FV3152452.
Chesley, Larry J., FV3147498.
Clark, James C., FV3157311.
Clark, James I., FV3157724.
Claussen, Fredric L., FV3150497.
Cliver, Jeffrey G., FV3160188.
Cody, William C., FV3161877.
Colby, Richard E., FV3157312.
Cole, Clarence W., FV3156712.
Colligan, James M., FV3160973.
Colmer, Gerald K., FV3151840.
Colwell, Robert F., FV3163029.
Commander, John B., Jr., FV3161966.
Conaway, Carlton D., FV3152862.
Conklin, Howard L., FV3151174.
Conklin, James J., FV3160260.
Constable, Wi P, III, FV3158221.
Cook, Robert O., FV3150500.
Cooney, John J., Jr., FV3133661.
Cooper, Henry F., Jr., FV3186544.
Corea, Anthony N., FV3157492.
Cosgrove, Michael J., FV3152629.
Cotton, Clifford W., FV3151206.
Craig, Dale A., FV3158787.
Crawford, Charles K., FV3168826.
Crawford, Robert K., FV3152463.
Crowder, Arnold G., FV3168912.
Crowell, Gary A., FV3152354.
Crump, Edward G., FV3152085.
Cullers, Herbert W., Jr., FV3151925.
Cybulski, Frank J., FV3168828.
Davis, Thomas I., FV3168831.
Dawson, Charles N., FV3158007.
Deatherage, Fred S., FV3163403.
Delaporte, Chris T., FV3163419.
Demchak, Michael T., FV3168956.
Dettmar, Robert L., Jr., FV3162906.
Dewey, George R., FV3151477.
Distelzweig, Louis V., Jr., FV3149818.
Dodd, John F., FV3152367.
Dodrill, Reginald M., FV3152310.
Dorris, Gary A., FV3158607.
Dorsey, David T., FV3151970.
Dothard, Raymond D., Jr., FV3157437
Dougan, John W., FV3152559.
Downing, Neil L., FV3157670.
Druckenmiller, Arthur E., FV3168959
Duggan, Patrick J., Jr., FV3160268.
Dunlap, Gary J., FV3163088.
Duresky, Neil L., FV3152343.
Dusek, Eugene A., FV3168835.
Duty, John W., FV3148136.
Dyar, Lance P., FV3159723.
Eddings, James A., FV3118706.
Edelstein, Charle S., FV3149479.
Edgeman, Larry J., FV3162625.
Edney, Frederick M., FV3173087.
Edwards, Wayne B., FV3163796.
Eggleston Tony E., FV3151775.
Eiber, Gary F., Jr., FV3157912.
Eiff, Arthur D., FV3152667.
Einertson, Arlen T., FV3151886.
Ellsworth, Roger W., FV3158708.
Evans, John D., FV3159402.
Everard, Jerold V., FV3168836.
Fanthorpe, Robert J., FV3158523.
Farmer, Bufford D., FV3168837.
Farney, Gerald R., FV3162576.
Fenn, Fred H., Jr., FV3159303.
Fenton, David S., FV3152826.
Ferebee, George W., FV3151273.
Fergusson, John W., Jr., FV3168960.
Fethke, William F., FV3151737.
Feutz, Richard F., FV3152308.
Fiore, Joseph C., FV3151217.
Fisher, Douglas H., FV3154488.
Foraker, Larry E., FV3161057.
Forbes, James A., FV3152599.
Fowler, Henry P., Jr., FV3148574.
Fowler, John W., FV3150357.
Fowler, Julian L., FV3168839.
Francis John E., FV3151635.
Francois, Larry D., FV3159899.
Frank, Jon D., FV3150365.
Franklin, Carl E., FV3162577.
Franklin, Eldon G., FV3159109.
Franklin, Joseph C., FV3133273.
Fria, Robert A., FV3157827.
Fulghum, Jon F., FV3162200.
Gallice, Joseph L., FV3152204.
Gallina, Frank A., FV3150644.
Gamble, Samuel O., FV3158361.
Garza, Frank D., FV3168962.
Gaul, James F., FV3153055.
Gay, Eugene P., FV3152963.
Geiger, Keith W., FV3152157.
Geil, Earl H., FV3152175.
Gerken, Kenneth L., FV3151981.
Gerleman, Phillip D., FV3152355.
Gibson, Thomas G., FV3152118.
Giese, Allen C., FV3152408.
Giesen, James L., FV3149976.
Giffin, Barry M., FV3152362.
Giglio, Thomas L., FV3152497.
Gilbert, Mark B., FV3161290.
Gill, Timothy D., FV3161722.
Gillogly, Harry I., III, FV3151493.
Giroux, Hans D., FV3171337.
Gissendanner, Dean A., FV3156437.
Gittins, James R., FV3161150.
Glamser, Francis D., FV3152061.
Glawe, Benoid E., Jr., FV3151865.
Gocke, Virginia M., FV3152214.
Goldman, Arthur E., FV3151401.
Goldstein, Neal A. L., FV3152234.
Gonzalez, Gerald T. E., FV3152423.
Grace, Paul J., FV3159516.
Grandia, Dwight E., FV3158904.
Greene, Louis E., Jr., FV3168963.
Grignot, Paul J., Jr., FV3150717.
Grimsley, Frank, Jr., FV3168845.
Groeneweg, John F., FV3099433.
Grothe, William V., Jr., FV3168964.
Guthrie, James W., FV3152107.
Guthrie, Peter W., FV3153009.
Haddon, Robert W., FV3168965.
Haegele, James A., FV3150048.
Halford, Harold D., FV3168966.
Hall, Dean G., FV3150611.
Hall, Lester M., III, FV3168847.
Hammer, David M., FV3151350.
Hammond, Donald H., FV3168967.
Hanna, John W., FV3133563.
Hansen, Craig O., FV3151283.
Harden, Jack E., FV3168969.
Harper, Steven V., FV3150719.
Harrier, Lamar C., FV3162044.
Harris, Frank W., FV3151303.
Hart, Warren L., FV3151182.
Harter, Gerald R., FV3168848.
Hartung, James R., Jr., FV3158232.
Hawkins, John E., FV3159212.
Heady, Mark A., FV3159336.
Healy, David M., FV3159906.
Heideman, David A., FV3158613.
Heifferon, John C., FV3163771.
Heldstab, Dale B., FV3151153.
Henderson, Joe C., FV3162690.
Henson, Douglas C., FV3152433.
Hiday, Paul W., FV3152507.
Highsmith, Marshall W., FV3158615.
Hill, James A., FV3151233.
Hinneburg, Patricia A., FV3152197.
Holland, James D., FV3168975.
Holt, Peter L., FV3161724.
Honchell, William F., FV3168914.
Horner, Louis E., FV3159701.
Howard, Glen L., FV3152939.
Howard, Lloyd V., FV3151686.
Howard, Rogers W., FV3161632.
Huber, Edward D., FV3158617.
Hudson, Brian D., FV3152546.
Hultman, John H., FV3168851.
Hurlburt, Randall L., FV3152838.
Hyman, Wallace R., FV3168932.
Iverson, Ronald W., FV3158462.
Jaensch, Peter J., FV3151838.
Jensen, John R., FV3152329.
Jerkins, James D., FV3157334.
Jerome, Jerome O., FV3168853.
Johnson, Jon R., FV3149675.
Johnson, John A., III, FV3168933.
Johnson, Thomas A., FV3152620.
Jones, Dale H., FV3152477.
Jones, Hollis D., FV3150721.
Jones, Larry P., FV3151403.
Jones, Robert E., FV3161444.
Jordana, Modesto, FV3168934.
Kahrs, George W., FV3163656.
Katz, Martin E., Jr., FV3163544.
Keel, Nicholas N., FV3152765.
Keiser, John L., FV3151717.
Kelly, Kraig K., FV3150613.
Kelly, Thomas J., FV3148378.
Kenne, Don E., FV316070.
Kent, David A., FV3152683.
Kercher, David H., FV3151344.
Kidd, George R., FV3151752.
King, Dwight E., FV3161072.
King, George S., Jr., FV3151188.
King, John W., FV3159868.
Kirschenmann, Kenneth D., FV3162089.
Kiser, Rex C., FV3152388.
Klick, Jean E., FV3151992.
Klumas, Lawrence J., FV3168857.
Knight, Robert H., FV3163101.
Knoth, Henry W., FV3150614.
Kunz, Eric G., FV3155311.
Kyle, Richard M., FV3157697.
Lake, Robin M., FV3168922.
Lane, Edward A., FV3150675.
Lang, Jack D., FV3149252.
Latourrette, Robert W., FV3160371.
Lau, Earl S. C., FV3152686.
Lauchner, Ronald E., FV3151796.
Layton, James F., FV3149041.
Lee, John W., Jr., FV3133345.
Leithiser, Christopher, FV3161917.
Lengyel, William A., Jr., FV3161704.
Leonhard, William E., Jr., FV3152257.
Levi, Paul L., FV3163657.
Lewis, James R., FV3154398.
Lickman, George L., FV3168862.
Linden, Robert B., FV3151304.
Lithgow, David P., FV3152352.
Lloyd, Dennis E., FV3151150.
Luken, Lawrence D., FV3168863.
Lutz, Otis P., FV3161995.
Lynch, Don R., FV3168864.
Lyon, Andrew G., Jr., FV3162935.
Mack, William B., FV3152576.
Mackta, Fred K., FV3152209.

Maddox, Charles R., FV3151874.
Main, Davis L., FV3150363.
Malatesta, Alfred V., FV3159268.
Malinsky, Joseph G., FV3150619.
Mallon, Richard J., FV3161496.
Mange, John P., Jr., FV3161647.
Markiewicz, Donald, FV3150381.
Markline, Charles K., FV3159434.
Marley, William F., Jr., FV3162939.
Marsh, Royden W., FV3151302.
Martin, Jim I., FV3151380.
Martin, Wilco A., FV3160829.
Martula, Richard J., FV3152069.
Massey, Harmon O., Jr., FV3159833.
Mathews, Kenneth W., FV3160557.
May, Richard M., Jr., FV3157982.
Mayes, Lewis F., II, FV3153044.
McAdam, Paul A., FV3152307.
McBride, Donald L., FV3168865.
McClintock, William D., FV3162694.
McCuen, Douglas R., FV3152501.
McCullough, Robert I., FV3133646.
McHugh, Michael B., FV3152337.
McIntosh, William H., FV3163302.
McKinley, Charles M., FV3151531.
McKnight, Ronald H., FV3105070.
McLean, Terrence M., FV3161079.
McMaster, David K., FV3168866.
McMinds, Donald L., FV3151729.
McNulty, Donald E., FV3160899.
Meeks, Bobby R., FV3168867.
Melrose, Mark W., FV3152489.
Meunier, Barry, FV3151351.
Meyers, Donald S., FV3151741.
Miller, David L., FV3152356.
Miller, David W., FV3152018.
Miller, Harlan L., Jr., FV3157851.
Miller, John M., FV3151897.
Miller, Kenneth L., FV3168869.
Miller, Stephen H., FV3159438.
Miller, Thomas E., FV3163798.
Mitcheltree, William H., FV3152799.
Moe, John N., FV3152647.
Mollenkopf, Dale L., FV3150380.
Moore, Edwin H., FV3152240.
Morrison, John R., Jr., FV3150696.
Mueller, William L., FV3152039.
Mulready, Michael J., FV3152221.
Munroe, Dale W., FV3151491.
Murray, Calvin M., Jr., FV3152467.
Musselman, Gerald W., FV3151156.
Myers, Kenneth A., FV3163373.
Myers, Richard A., FV3149360.
Myles, Ronald L., FV3155971.
Nagy, Ronald L., FV3161654.
Neisius, Leon J., FV3163457.
Nelson, Clarke A., FV3160088.
Nelson, Terry A., FV3152759.
Nelson, Wilbur O., III, FV3151965.
Nenner, Paul E., FV3149310.
Nicholson, Jon E., FV3148096.
Noble, Phillip B., FV3159872.
Noble, Thomas L., FV3161083.
Norris, Richard H., FV3168872.
Norvelle, Frederick D., FV3168873.
Nugent, Edmund B., Jr., FV3151441.
O'Chab, Robert, FV3152261.
O'Connor, Denis L., FV3152545.
O'Connor, Francis W., FV3151537.
Offley, Ronald D., FV3152140.
Olds, David R., FV3151628.
Olson, Edwin A., FV3158919.
Oltmans, Samuel J., FV3151544.
Opperman, James W., FV3168874.
Osborne, Peter R., FV3151650.
Ostro, Hans, FV3152346.
Ourada, Laurence E., FV3160090.
Ouye, Randolph K., FV3158440.
Pace, Charles M., FV3152791.
Padgett, Jerry L., FV3159836.
Palmer, Michael E., FV3147296.
Palucci, Kenneth J., FV3159922.
Panza, Joseph A., Jr., FV3157636.
Paolucci, John F., FV3151572.
Parish, Jerry G., FV3150698.
Parisi, Philip J., FV3152555.
Parsons, Jimmy D., FV3152417.
Parsons, Robert J., FV3153020.
Patterson, Aubrey B., Jr., FV3159874.
Pavola, Eugene H., FV3151667.
Pearson, James K., Jr., FV3152461.
Pennycuff, John A., FV3152230.
Penton, Leonard W., FV3168984.
Perry, William J., FV3151327.
Peterson, Charles P., FV3159748.
Peterson, Dwight G., FV3152548.
Peterson, Lawrence D., FV3152050.
Petritsch, Warren E. J., FV3152840.
Petsch, Mark P., FV3152274.
Petteway, Guy N., FV3152253.
Pettigrew, Thomas P., Jr., FV3151513.
Petty, George K., Jr., FV3160375.
Petty, Lasalle, Jr., FV3163254.
Pfeifer, Ludvik, FV3168876.
Pfister, Robert W., FV3151469.
Pichard, James B., FV3133740.
Pickens, Thomas A., FV3151928.
Pike, Dennis S., FV3157512.
Pollari, Ray W., FV3151654.
Porter, Donald D., FV3151870.
Porter, James M., FV3157414.
Potts, Roy V. FV3158395.
Powell, Charles T., FV3162315.
Powers, Steven T., FV3168849.
Preble, Danny R., FV3151536.
Price, Simon G., FV3149142.
Pritchard, Harley H. Jr., FV3150616.
Putnam, John C., FV3152524.
Quigley, James C., FV3151750.
Rawlings, George L., Jr., FV3162010.
Reckling, Larry E., FV3151881.
Reed, Clyde S., III., FV3168988.
Reedy, Milton G., FV3148078.
Reese, George W., Jr., FV3161236.
Reitenbaugh, Howard T., FV3159927.
Reynolds, James E., FV3161320.
Reynolds, Patrick J., FV3151859.
Reznick, John C., FV3151496.
Rhoades, John W., FV3168878.
Rhodes, Kenneth R., FV3161237.
Richardson, Charles L.. FV3151165.
Richardson, Roger E., FV3168879.
Ridgeway, Dale N., FV3152801.
Ritter, David E., FV3153078.
Rizzi, Anthony, FV3151817.
Roberts, William E., Jr., FV3152409.
Robinson, James E., FV3150654.
Robinson, Ronald W., FV3151411.
Rocap, Pember W., FV3151210.
Roche, James J., FV3152208.
Rogness, Norman D., FV3163799.
Rohrbach, Marjorie A., FV3152188.
Romine, Janet C., FV3152116.
Rook, Thomas C., FV3152648.
Roysden, Henry C., Jr., FV3168937.
Rubinow, Jay, FV3152095.
Rucoba, Reginald, FV3168881.
Russell, Rodney O., FV3162963.
Rye, Gilbert D., FV3168882.
Saline, Joseph P., Jr., FV3164816.
Sample, James I., FV3151162.
Santee, Joe F., II, FV3161321.
Sawdon, William J., FV3158741.
Schattner, Elisabeth, FV3168883.
Scheibel, Robert L., FV3163245.
Schmid, Michael E., FV3152320.
Schoeninger, John W., Jr., FV3152658.
Schorzman, Craig A.. FV3163042.
Seale, Benajah E., Jr., FV3168884.
Seiler, Peter F., FV3152998.
Sellers. Donald R., FV3151381.
Sewell, James T., FV3151646.
Seymour, John C., FV3158744.
Shallenberger, Edward L., FV3152706.
Shamblin, Ronald G., FV3163142.
Shanafelt, Ronald L., FV3163773.
Shannon, Jack D., FV3163423.
Shaw, William F., FV3152491.
Sheehy, Paul J., FV3152395.
Shepard, Gary D., FV3157863.
Shulmister, Morris R., FV3152795.
Simmons, Ross L., Jr., FV3158467.
Sisk, Donald E., FV3168887.
Smith, David C., FV3152499.
Smith, Frederick C., III, FV3161028.
Smith, Gary F., FV3151407.
Smith, Michael W., FV3168994.
Smith, Randolph M., FV3151664.
Smith, Ronald C., FV3152695.
Snyder, Derle M., FV3161673.
Sopko, John, FV3160321.
Sosalla, Phillip M., FV3163461.
Sower, William A., FV3168995.
Spadinger, Jay J., FV3168888.
Sparks, Charles T., FV3151962.
Spear, Robert C., FV3151657.
Spencer, Richard A., FV3168889.
Sroga, James J., FV3152715.
Stallins, Floyd H., FV3170530.
Stayton, William H., FV3152008.
Stearns, David J., FV3151151.
Steinmann, James W., Jr., FV3162222.
Stellbrink, William C., FV3152488.
Stephenson, Jacland M., FV3151569.
Stevens, Alexander M., FV3151733.
Stevens, Richard L., FV3163469.
Stevenson, David L., FV3152487.
Stewart, Alvin E., FV3168938.
Stewart, Dorothy L., FV3152189.
Stewart, James M., FV3152360.
Stewart, Robert W., FV3151748.
Stigers, Joe D., FV3152625.
Stultz, Richard M., FV3157683.
Sullivan, Michael F., FV3168891.
Summerville, Rett S., FV3152584.
Suter, George H., FV3161459.
Swartzmeyer, Elmer G., FV3168892.
Swope, Richard T., FV3161793.
Taber, Lynville E., FV3151522.
Taylor, Elden C., FV3163801.
Teipe, Myrna R., FV3152185.
Thede, Allen L., FV3168895.
Thompson, Lowell W., Jr., FV3168897.
Throckmorton, George E., FV3168810.
Thurgood, John W., Jr., FV3134137.
Tigue, Dennis H., FV3168939.
Tolson, Jerome F., Jr., FV3151963.
Town, Edward A., FV3163802.
Traynor, Patrick J., FV3153018.
Troeber, David J., FV3160241.
Troutman, Vance G., FV3168901.
True, Herbert R., FV3151755.
Tucker, Jerome W., FV3168902.
Tucker, John E., FV3161329.
Turnley, Thomas E., Jr., FV3152427.
Ubl, Marlowe E., FV3168903.
Uridel, Richard K., FV3151284.
Valente, George A., Jr., FV3161683.
Vanderpool, Travis E., FV3162767.
Vannorsrand, William S., FV3162560.
Vicente, Frank R., FV3161684.
Vick, Jonathan C., FV3151558.
Viviano, Joseph L., FV3159289.
Wachob, Charles M., FV3161949.
Waddington, William J., FV3168904.
Wakeham, Ernest W., FV3161460.
Waldon, Jesse J., Jr., FV3151275.
Wall, Steven E., FV3168808.
Wallace, Luther E., FV3151690.
Wallace, Stephen L., FV3133397.
Walston, Gary R., FV3157527.
Wanless, Ronald H., FV3161101.
Waters, Joseph G., FV3151529.
Weathers, Morris E., FV3153033.
Webb, Michael S., FV3152776.
Weeks, Thomas R., FV3176137.
Wees, Edward L., FV3163803.
Wells, Hewett S., Jr., FV3151786.
Welshan, John T., FV3168907.
Wendt, Glenn W., FV3148780.
Western, Robert W., FV3157451.
Weston, Dale E., FV3161204.
Wheeler, James C., FV3152029.
Whitley, David L., FV3159880.
Wick, James R., FV3163120.
Wilbert, Jan J., FV3151742.
Williams, Clois E., FV3157360.
Williams, David M., Jr., FV3161796.
Williams, Donald E., FV3151237.
Williams, Ronald W., FV3163003.
Williamson, Gary E., FV3152096.
Willis, Albert H., FV3152710.
Wilson, Alexander G., FV3157529.
Wilson, David E., FV3154511.
Wilson, Dennis C., FV3151649.
Wilson, George E., FV3151333.
Wilson, Hugh H., Jr., FV3159850.

Wilson, William H., Jr., FV3162225.
Wimer, James K., FV3152062.
Winchester, Robert O., FV3168999.
Winn, Robert W., FV3168908.
Winter, James W., FV3163409.
Winter, Warren R., FV3160168.
Wittel, Charles R., Jr., FV3152518.
Witten, James P., FV3152447.
Wodstrchill, Daniel L., FV3158926.
Wood, Bruce D., FV3157530.
Wood, Ronald L., FV3152635.
Woods, Paul T., FV3152144.
Wright, Gareth W., FV3152495.
Wright, Tilden P., III, FV3151712.
Wurzburger, Nils L., FV3158580.
Wyckoff, Michael R., FV3151668.
Wycoff, Earl N., FV3146921.
Yonker, Dale B., FV3152713.
York, James E., FV3151262.
Yuknas, Joseph A., FV3168909.
Zebley, Frederick L., Jr., FV3160868.
Ziemniak, Edward M., FV3163804.
Zutell, Eugene G., FV3151154.

The following distinguished military graduates of Air Force precommission schools for appointment in the Regular Air Force under the provisions of section 8284, title 10, United States Code, with a view to designation to perform the duties of Medical Service Corps officers, under the provisions of section 8067, title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force.

Davis, Douglas J., FV3168830.
Rouland, Donald L., FV3169005.

IN THE ARMY

The following-named officers for appointment in the regular Army of the United States to the grades indicated, under the provisions of title 10, United States Code, sections 3284, 3306 and 3307:

To be major generals

Maj. Gen. George Ruhlen, O19733, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Autrey Joseph Maroun, O19865, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Hamilton Austin Twitchell, O19843, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Joseph Rieber Russ, O19860, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. John Hart Caughey, O19885, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Roy Lassetter, Junior, O51714, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. James Edward Landrum, Junior, O20216, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Robert George Fergusson, O20267, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. William Pelham Yarborough, O20362, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Benjamin Franklin Evans, Jr., O20368, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. William Charles Haneke, O20263, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Arthur William Oberbeck, O20569, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Robert Francis Seedlock, O20609, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Alexander Day Surles, Jr., O20622, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Albert Ollie Connor, O20699, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Ferdinand Thomas Unger, O20734, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Benjamin Franklin Taylor, O20779, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Joe Stallings Lawrie, O20914, Army of the United States (brigadier general, U.S. Army).

To be brigadier generals

Maj. Gen. David Bennett Parker, O20571, Army of the United States (colonel, U.S. Army).

Maj. Gen. Chester Lee Johnson, O20681, Army of the United States (colonel, U.S. Army).

Maj. Gen. John Jarvis Tolson III, O20826, Army of the United States (colonel, U.S. Army).

Brig. Gen. Donald Ralph Pierce, O43332, Army of the United States (colonel, U.S. Army).

Brig. Gen. Richard Wayne Whitney, O31855, Army of the United States (colonel, U.S. Army).

Maj. Gen. Richard Giles Stilwell, O21065, Army of the United States (colonel, U.S. Army).

Maj. Gen. Kenneth Gregory Wickham, O21073, Army of the United States (colonel, U.S. Army).

Brig. Gen. Walter Edward Lotz, Jr., O21090, Army of the United States (colonel, U.S. Army).

Maj. Gen. Claire Elwood Hutchin, Jr., O21092, Army of the United States (colonel, U.S. Army).

Brig. Gen. Fillmore Kennady Mearns, O21106, Army of the United States (colonel, U.S. Army).

Maj. Gen. William Welby Beverley, O21107, Army of the United States (colonel, U.S. Army).

Maj. Gen. Roland Bennett Anderson, O21108, Army of the United States (colonel, U.S. Army).

Maj. Gen. Frank Wade Norris, O21110, Army of the United States (colonel, U.S. Army).

Brig. Gen. William Braden Latta, O21119, Army of the United States (colonel, U.S. Army).

Brig. Gen. Samuel Knox Eaton, O21132, Army of the United States (colonel, U.S. Army).

Maj. Gen. Ferdinand Joseph Chesarek, O21177, Army of the United States (colonel, U.S. Army).

Brig. Gen. Jaroslav Thayer Folda, Jr., O21193, Army of the United States (colonel, U.S. Army).

Maj. Gen. John Charles Fremont Tillson III, O21196, Army of the United States (colonel, U.S. Army).

Maj. Gen. John Milton Finn, O21252, Army of the United States (colonel, U.S. Army).

Maj. Gen. Arthur Sylvester Collins, Jr., O21260, Army of the United States (colonel, U.S. Army).

Maj. Gen. Ben Sternberg, O21286, Army of the United States (colonel, U.S. Army).

Brig. Gen. Charles Joseph Denholm, O21293, Army of the United States (colonel, U.S. Army).

Maj. Gen. Robert Howard York, O21341, Army of the United States (colonel, U.S. Army).

Maj. Gen. William Raymond Peers, O21366, Army of the United States (colonel, U.S. Army).

Brig. Gen. Charles Peter Stone, O21376, Army of the United States (colonel, U.S. Army).

Brig. Gen. Carroll Hilton Dunn, O21427, Army of the United States (colonel, U.S. Army).

Lt. Gen. Andrew Jackson Goodpaster, O21739, Army of the United States (colonel, U.S. Army).

Brig. Gen. Julian Johnson Ewell, O21791, Army of the United States (colonel, U.S. Army).

Maj. Gen. Frederic William Boye, Jr., O21891, Army of the United States (colonel, U.S. Army).

Brig. Gen. Raymond Bradner Marlin, O21899, Army of the United States (colonel, U.S. Army).

Maj. Gen, George Edward Pickett, O21938, Army of the United States (colonel, U.S. Army).

Maj. Gen. Walter Thomas Kerwin, Jr., O21963, Army of the United States (colonel, U.S. Army).

Maj. Gen. Welborn Griffin Dolvin, O21980, Army of the United States (colonel, U.S. Army).

Maj. Gen. Harry William Osborn Kinnard, O21990, Army of the United States (colonel, U.S. Army).

Lt. Gen. Frank Thomas Mildren, O21992, Army of the United States (colonel, U.S. Army).

Maj. Gen. Robert Henry Schellman, O22002, Army of the United States (colonel, U.S. Army).

Maj. Gen. Michael Shannon Davison, O22051, Army of the United States (colonel, U.S. Army).

Brig. Gen. William Joseph McCaffrey, O22065, Army of the United States (colonel, U.S. Army).

Maj. Gen. Stanley Robert Larsen, O22094, Army of the United States (colonel, U.S. Army).

Brig. Gen. Thomas Augustine Kenan, 022670, Army of the United States (colonel, U.S. Army).

Brig. Gen. Charles Allen Corcoran, O31721, Army of the United States (colonel, U.S. Army).

Brig. Gen. Charles William Eifler, O32614, Army of the United States (colonel, U.S. Army).

The following-named officers for temporary appointment in the Army of the United States to the grades indicated, under the provisions of title 10, United States Code, sections 3442 and 3447.

To be major generals

Brig. Gen. Charles Joseph Denholm, O21293, Army of the United States (colonel, U.S. Army).

Brig. Gen. Patrick Francis Cassidy, O32809, Army of the United States (colonel, U.S. Army).

Brig. Gen. Julian Johnson Ewell, O21791, Army of the United States (colonel, U.S. Army).

Brig. Gen. John Norton, O23858, Army of the United States (lieutenant colonel, U.S. Army).

Brig. Gen. Leland George Cagwin, O23200, Army of the United States (colonel, U.S. Army).

Brig. Gen. William Charles Gribble, Jr., O23695, Army of the United States (lieutenant colonel, U.S. Army).

Brig. Gen. William Eugene DePuy, O34710, Army of the United States (lieutenant colonel, U.S. Army).

Brig. Gen. George Irvin Forsythe, O24510, Army of the United States (lieutenant colonel, U.S. Army).

Brig. Gen. Henry Augustine Miley, Jr., O22993, Army of the United States (colonel, U.S. Army).

Brig. Gen. Charles William Eifler, O32614, Army of the United States (colonel, U.S. Army).

Brig. Gen. Charles Vincent Wilson, O23564, Army of the United States (colonel, U.S. Army).

Brig. Gen. John Milton Hightower, O23531, Army of the United States (colonel, U.S. Army).

Brig. Gen. Jaroslav Thayer Folda, Jr., O21193, Army of the United States (colonel, U.S. Army).

Brig. Gen. Samuel Knox Eaton, O21132, Army of the United States (colonel, U.S. Army).

Brig. Gen. Fillmore Kennady Mearns, O21106, Army of the United States (colonel, U.S. Army).

Brig. Gen. Walter Edward Letz, Jr., O21090, Army of the United States (colonel, U.S. Army).

Brig. Gen. Charles Pershing Brown, O23544, Army of the United States (colonel, U.S. Army).

Brig. Gen. Keith Lincoln Ware, O33181, Army of the United States (lieutenant colonel, U.S. Army).

Brig. Gen. Woodrow Wilson Vaughan, O23004, Army of the United States (colonel, U.S. Army).

Brig. Gen. William Joseph McCaffrey, O22065, Army of the United States (colonel, U.S. Army).

Brig. Gen. Raymond Bradner Marlin, O21899, Army of the United States (colonel, U.S. Army).

Brig. Gen. Roderick Wetherill, O23158, Army of the United States (colonel, U.S. Army).

Brig. Gen. George Bibb Pickett, Jr., O23932, Army of the United States (lieutenant colonel, U.S. Army).

Brig. Gen. Carroll Hilton Dunn, O21427, Army of the United States (colonel, U.S. Army).

Brig. Gen. Richard Wayne Whitney, O31855, Army of the United States (colonel, U.S. Army).

Brig. Gen. William Braden Latta, O21119, Army of the United States (colonel, U.S. Army).

Brig. Gen. Richard Thomas Cassidy, O23213, Army of the United States (colonel, U.S. Army).

Brig. Gen. Kenneth Howard Bayer, O23551, Army of the United States (colonel, U.S. Army).

Brig. Gen. Arthur Lorenzo West, Jr., O25269, Army of the United States (lieutenant colonel, U.S. Army).

Brig. Gen. Dayton Willis Eddy, O24565, Army of the United States (lieutenant colonel, U.S. Army).

Brig. Gen. Thomas Augustine Kenan, O22670, Army of the United States (colonel, U.S. Army).

Brig. Gen. Raymond Chandler Conroy, O33276, Army of the United States (lieutenant colonel, U.S. Army).

Brig. Gen. Richard George Ciccolella, O34117, Army of the United States (lieutenant colonel, U.S. Army).

Brig. Gen. Charles Allen Corcoran, O31721, Army of the United States (colonel, U.S. Army).

Brig. Gen. Donald Ralph Pierce, O43332, Army of the United States (colonel, U.S. Army).

Brig. Gen. John Hancock Hay, Jr., O25290, Army of the United States (lieutenant colonel, U.S. Army).

To be brigadier generals

Col. James Joseph Gibbons, O25355, Army of the United States (lieutenant colonel, U.S. Army).

Col. James Francis Hollingsworth, O34155, Army of the United States (lieutenant colonel, U.S. Army).

Col. William Mulford Van Harlingen, Jr., O22016, U.S. Army.

Col. Donald Hugh McGovern, O36851, Army of the United States (lieutenant colonel, U.S. Army).

Col. George Burbank Webster, Jr., O23425, U.S. Army.

Col. William John Durrenberger, O25099, Army of the United States (lieutenant colonel, U.S. Army).

Col. Orwin Clark Talbott, O24617, Army of the United States (lieutenant colonel, U.S. Army).

Col. Burnside Elijah Huffman, Jr., O23759, Army of the United States (lieutenant colonel, U.S. Army).

Col. Kenneth Mace Gonseth, O24417, Army of the United States (lieutenant colonel, U.S. Army).

Col. Kenneth Lawson Johnson, O36285, Army of the United States (lieutenant colonel, U.S. Army).

Col. Warren Kennedy Bennett, O35691, Army of the United States (lieutenant colonel, U.S. Army).

Col. Arthur Lionel Friedman, O32474, U.S. Army.

Col. Willis Dale Crittenberger, Jr., O24893, Army of the United States (lieutenant colonel, U.S. Army).

Col. George Haywood Young, Jr., O36242, Army of the United States (lieutenant colonel, U.S. Army).

Col. William Thomas Bradley, O21768, U.S. Army.

Col. John Relley Guthrie, O36240, Army of the United States (lieutenant colonel, U.S. Army).

Col. Salve Hugo Matheson, O36253, Army of the United States (lieutenant colonel, U.S. Army).

Col. Edwin I. Donley, O34887, Army of the United States (lieutenant colonel, U.S. Army).

Col. Harris Whitton Hollis, O53724, Army of the United States (lieutenant colonel, U.S. Army).

Col. James McMenamin Shepherd, O21063, U.S. Army.

Col. Thomas Matthew Rienzi, O24715, Army of the United States (lieutenant colonel, U.S. Army).

Col. John Joseph Kenney, Jr., O23114, U.S. Army.

Col. Robert Murphy Williams, O22206, U.S. Army.

Col. C. Craig Cannon, O39008, U.S. Army.

Col. Allan Langdon Leonard, Jr., O32898, U.S. Army.

Col. Wallace Leo Clement, O23167, U.S. Army.

Col. Bernard Richard Luczak, O22196, U.S. Army.

Col. Frederick Charles Roecker, Jr., O24681, Army of the United States (lieutenant colonel, U.S. Army).

Col. Albert Ray Brownfield, Jr., O21905, U.S. Army.

Col. Daniel Arthur Raymond, O24670, Army of the United States (lieutenant colonel, U.S. Army).

Col. Leo Bond Jones, O24255, Army of the United States (lieutenant colonel, U.S. Army).

Col. William Alden Burke, O46646, Army of the United States (lieutenant colonel, U.S. Army).

Col. Francis Paul Koisch, O24669, Army of the United States (lieutenant colonel, U.S. Army).

Col. James Leon Baldwin, O36864, Army of the United States (lieutenant colonel, U.S. Army).

Col. Alfred Judson Force Moody, O23685, Army of the United States (lieutenant colonel, U.S. Army).

Col. Robert Davis Terry, O24739, Army of the United States (lieutenant colonel, U.S. Army).

Col. William Albert Becker, O24267, Army of the United States (lieutenant colonel, U.S. Army).

Col. Edward Bautz, Jr., O34750, Army of the United States (lieutenant colonel, U.S. Army).

Col. William McKinney Mantz, O33403, Army of the United States (lieutenant colonel, U.S. Army).

Col. James Howard Keller, O21871, U.S. Army.

Col. Morgan Garratt Roseborough, O22681, U.S. Army.

Col. Karl William Gustafson, O45560, Army of the United States (lieutenant colonel, U.S. Army).

Col. Charles George Fredericks, O22092, U.S. Army.

Col. James Kyle Terry, O33375, Army of the United States (lieutenant colonel, U.S. Army).

Col. Henry Alfred Rasmussen, O40502 (U.S. Army).

Col. Glen Carl Long, O24170, Army of the United States (lieutenant colonel, U.S. Army).

Col. William Robertson Desobry, O24262, Army of the United States (lieutenant colonel, U.S. Army).

Col. Felix John Gerace, O23954, Army of the United States (lieutenant colonel, U.S. Army).

Col. Thomas Harwell Barfield, O35425, Army of the United States (lieutenant colonel, U.S. Army).

Col. William Edgar Shedd III, O24971, Army of the United States (lieutenant colonel, U.S. Army).

Col. Ivey Oscar Drewry, Jr., O33224 (lieutenant colonel, U.S. Army).

Col. John Pershing Traylor, O25060, Army of the United States (lieutenant colonel, U.S. Army).

Col. George Samuel Blanchard, O26737, Army of the United States (lieutenant colonel) U.S. Army.

Col. John Louis Klinghenhagen, O39223, Army of the United States (lieutenant colonel, U.S. Army).

Col. Earl Franklin Cole, O64999, Army of the United States (major, U.S. Army).

The following-named officers for appointment in the Regular Army of the United States to the grades indicated, under the provisions of title 10, United States Code, sections 3284 and 3306:

To be brigadier generals, Medical Corps

Maj. Gen. Conn Lewis Milburn, Jr., O20405, Army of the United States (colonel, Medical Corps, U.S. Army).

Maj. Gen. James Thomas McGibony, O20406, Army of the United States (colonel, Medical Corps, U.S. Army).

To be brigadier general, Dental Corps

Col. Clare Thomas Budge, O21050, Medical Corps, U.S. Army.

The following-named officers for temporary appointment in the Army of the United States to the grades indicated, under the provisions of title 10, United States Code, sections 3442 and 3447:

To be major generals, Medical Corps

Brig. Gen. Robert Estes Blount, O19612, Medical Corps, U.S. Army.

Brig. Gen. Charles Harold Gingles, O20920, Army of the United States (colonel, Medical Corps, U.S. Army).

Brig. Gen. Joe Morris Blumberg, O29332, Medical Corps, U.S. Army.

To be brigadier generals, Medical Corps

Col. Robert Lee Rhea, Jr., O29285, Medical Corps, U.S. Army.

Col. James Arista Wier, O26416, Medical Corps, U.S. Army.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 17, 1966:

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Robert C. Weaver, of New York, to be Secretary of Housing and Urban Development.

Robert C. Wood, of Massachusetts, to be Under Secretary of Housing and Urban Development.

EXTENSIONS OF REMARKS

President Johnson's State of the Union Message

EXTENSION OF REMARKS

OF

HON. PRENTISS WALKER

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, January 17, 1966

Mr. WALKER of Mississippi. Mr. Speaker, during the President's state of the Union message before this body, I was reminded of a Texas horsetrader, who brought horses into our community when I was a boy. He was always quick to tell you all about the horse's good qualities, but deliberately omitted the faults that might cause disaster later on.

Mr. Johnson told of all of the magnificent accomplishments of his so-called Great Society during 1965, and of the great period of prosperity that our country is supposed to be enjoying. But, there are some points of the so-called Great Society administration that Mr. Johnson did not mention in his annual report.

One of the many facts that he did not discuss was our Nation's cost of living. On two different occasions, once in July and again in December our cost of living jumped to alltime highs. In telling how good our economy is, Mr. Johnson did not bring up anything about the condition of our gold reserves and how our gold stockpiles in Fort Knox reached a new record low this past summer. He did not tell us it was not the taxpayers but the "States' liabilities" that want home rule in the District of Columbia.

President Johnson asked Congress to take away the individual's freedom of choice, the freedom he has to choose whether or not he wants to join a labor union. He failed to mention that last year, the Supreme Court of our land, that applauded his every action, ruled that an individual could be a Communist and still be the head of a labor union in America. And, he forgot to tell us that strikes during 1 month alone last year, in the same unions we would be strengthening, put over 220,000 workers out of work.

President Johnson told us in his report how great our farm policy is, and how much better off the farmer is today than ever before. I have never seen the farmer making less profit and more dissatisfied than he is today. You heard nothing about how our farm debt has jumped up nearly 50 percent since 1961—or that our Department of Agriculture is spending more tax dollars to serve less farms today than ever before.

When he talked about Vietnam, President Johnson forgot to mention that combat casualties over there last year amounted to over 5,500 men—or that we had 1,365 servicemen killed in action. The bad thing about the so-called Great Society's Vietnam policy is that we are exactly where we were 1 year ago. He is still operating on the policy of containing and appeasing communism. We're still not winning in Vietnam, and he made no claim that we intend to win.

The five-point foreign policy as outlined in the state of the Union message expanded beyond reason our present policy of appeasement at the cost of the American taxpayer. At one point the President said "The fifth and most important principle of our foreign policy is support of national independence." But he made no mention whatsoever about why we haven't followed this policy with regard to Rhodesia—where we have done just the opposite.

In all of this, I come to one conclusion, it is not only what President Johnson said in his state of the Union message but what he did not say that is frightening to me.

After 1 year of the so-called Great Society, with the increases in crime, immorality, bitterness, and insecurity, I think the citizenship of our Nation will admit that our society is in worse shape now than ever before in the history of our Nation.

Brooklyn Public Library Preschool Program

EXTENSION OF REMARKS

OF

HON. JACOB K. JAVITS

OF NEW YORK

IN THE SENATE OF THE UNITED STATES

Monday, January 17, 1966

Mr. JAVITS. Mr. President, this year the Congress will be considering renewal of the Library Services and Construction Act of 1964—Public Law 88-269. In this connection it is of interest to note the use the Brooklyn Public Library has made of these funds through its preschool programs.

From the start of the Brooklyn project in mid-February of last year to the end of October, a total of 2.442 programs had been presented for 36,217 children between the ages of 3 and 5. The programs were presented at day care centers, public and parochial schools, housing projects, community centers, churches, and libraries throughout Brooklyn.

The sessions have been conducted by preschool library aids, college graduates interested in working with young children. These aids have been given intensive training to introduce them to the Brooklyn Public Library's philosophy of service, the selection of materials for youngsters, as well as the techniques of presentation. There are 16 of these library aids and they present an average of 70 to 73 programs weekly.

A typical preschool program may be divided into two parts and last approximately an hour. The first and formal half is devoted to telling stories, separated either by poetry, songs, finger games, or imaginative play. During the second, or browsing part, the storyteller distributes books used in the program as well as others she has brought for the children.

Programs such as this play a constructive role in orienting young children toward learning and are illustrative of the dividends from Public Law 88-269, the Library Services and Construction Act.

Testimonial Dinner to the Honorable Julius Foster, Jr., of Point Pleasant Beach, N.J.

EXTENSION OF REMARKS

OF

HON. CLIFFORD P. CASE

OF NEW JERSEY

IN THE SENATE OF THE UNITED STATES

Monday, January 17, 1966

Mr. CASE. Mr. President, a few days ago the Honorable Julius Foster, Jr., of Point Pleasant Beach, N.J., was honored at a dinner on the occasion of his retirement as tax collector in the borough of Bay Head. This was an unusual tribute on several counts, and I ask unanimous consent to have printed in the RECORD a copy of the release announcing the event and the text of a telegram I sent to him.

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

TESTIMONIAL DINNER TO HON. JULIUS FOSTER, JR., CARE OF BEACON MANOR HOTEL, POINT PLEASANT BEACH, N.J.

I wish I could be with you tonight as you gather in tribute to Julius Foster, who is retiring after 64 years as tax collector in the Borough of Bay Head. There is no question but that Mr. Foster has achieved some kind of record for longevity in a post that might have made any other person holding it very unpopular with fellow townsmen. Mr. Foster has managed to extract "Caesar's due" from the citizens of Bay Head in steadily increasing amounts over the decades he has served as tax collector without any ensuing loss of friendships. The salute to him this evening is an indication of the esteem and affection in which he is held by fellow residents. I can only wish for him many more years of satisfaction and happiness, surrounded by the friends and neighbors who have come to mean so much in the life of this public-spirited individual.

CLIFFORD P. CASE,
U.S. Senator.

BAY HEAD, N.J.—The man who has made a business of collecting money during working hours longer than anybody else in the United States is calling it quits the first of the year.

Julius Foster, Jr., tax collector in the Borough of Bay Head since 1900, resigns the end of this year with the longest record in the Nation of continuous service as a municipal tax collector.

Foster, 88 years old, will be honored for his 64 years in office at a testimonial dinner given Saturday, January 8, 1966, by the official family of the borough and friends and relatives, at the Beacon Manor Hotel, Point Pleasant Beach.

Having collected millions of dollars during his career, Foster surpasses the previous record of 57 years in office, held by a fellow

New Jerseyite, Walter C. Black, tax collector of East Windsor Township, who retired in 1959.

The business of collecting taxes in Bay Head has increased many times since Foster took office on May 7, 1900. In his first year, he took in a total of $5,005 in tax dollars; in 1965, he collected $455,348.17.

When he first got the job, he was told it was temporary "until someone permanent can be found to do the work." He was appointed to complete the unexpired term of his grandfather, Daniel T. Staniford, who moved out of the town to Brielle, N.J. In 1901, Foster was elected by fellow townsmen, a habit which was continued by the three following generations. He can't remember when anybody opposed him at the polls. "Surely, nobody ran against me seriously," he recalls.

Oldtimers here remember that Foster's father was tax assessor when his son became collector. The family team conducted the borough's tax business for more than a quarter century, from 1900 to 1927 when Julius Foster, Sr., died.

During his 64 years as tax collector, Foster took care of his full-time job without extra help.

The next few days, before the year's end and retirement, he will rise as usual at 6 a.m., putter around his home until 9 o'clock, and then spend his customary 6-hour day in the tax office in the Borough Hall.

Over 40 years, Foster was in the plumbing business here. He was one of the pioneers in Bay Head who designed and produced the borough's sewerage system, built in 1911 far ahead of other local municipalities. He is a charter member of the Bay Head Fire Department and served as its treasurer from 1936 to 1958.

Foster was never married. He lives today with two of his sisters, Miss Ruth C. Foster and Miss Esther Foster, in their home at 501 West Lake Avenue here. His brother, Samuel F. Foster, lives in Springfield, Mass., and another sister, Mrs. Roy F. Striffler, lives in Berkey, Ohio.

The veteran municipal official was born in Jackson Township in 1877, and moved to Bay Head early in his youth. He attended school here and in West Point Pleasant. When he was sworn in as tax collector for the first time, he recalls that Charles L. Clayton was mayor and John J. Forsythe was borough clerk.

In 1961, Foster was named senior tax collector of New Jersey and received honors given him by the Municipal Receivers, Tax Collectors and Treasurers Association at the annual meeting of the New Jersey State League of Municipalities.

Foster is a lifelong Republican. His record in office has been praised by Senator CLIFFORD P. CASE, Republican, of New Jersey, who plans to cite the veteran tax collector officially next month before the U.S. Senate.

Similar expressions of congratulations for Foster's achievements have come from the Federation of Tax Administrators, the International Association of Assessing Officers, and the National Institute of Municipal Clerks.

A special citation will be presented to Foster by the Ocean County Board of Chosen Freeholders.

In reminiscing about his early days in Bay Head, Foster said: "The borough didn't amount to much in the way of houses around 1900 although it was a popular resort. When I first took over the collector's job, the total assessment was $215,000. The biggest place in town was the Bluff's Hotel on East Avenue. I guess it was built in 1898 or 1899, but it seems like it was always there.

"I was here during the blizzard of 1888. That was really something. We were snowed in for a week. There wasn't any train service from a Monday to a Friday. I think some of the drifts must have been 8 to 10 feet high."

When he moved here there were only 10 houses in the borough, he recalls. Most of them were summer homes, he said, and the now fully developed bayfront on Barnegat Bay was then "inhabited by mosquitoes."

Foster has a good word for his fellow townsmen as taxpayers. "Most of them pay their taxes with no trouble," he said. "And, besides, the law has a way of dealing with those who don't."

Have We Stopped Losing?

EXTENSION OF REMARKS

OF

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, January 17, 1966

Mr. PELLY. Mr. Speaker, a Member of the House just back from a tour of southeast Asia told me the other day that there were reasons to doubt that McNamara was correct when he said last November that the United States had stopped losing the war in Vietnam.

Of course the Secretary of Defense has done more to confuse the American people as to the true situation in Vietnam than almost seems possible.

In 1962 he was quoted as saying he was tremendously encouraged. In October 1963 he gave as his judgment that the major part of the U.S. military task could be completed by the end of 1965. And a month later in Honolulu, he announced that American troops would start being withdrawn before yearend.

On March 17, 1964, he said the situation could be significantly improved in the coming months. A few days later he repeated that the situation in South Vietnam had worsened.

In May, however, he reported excellent progress, but 1 day later told a congressional committee that anti-Vietcong efforts had deteriorated.

In February 1965 he summed up his views saying that the past year had brought some encouraging developments. Last November after a sixth visit, he told the press, as I said at the start, "We are no longer losing."

Mr. Speaker, let me get back to the statement of the Member of Congress whom I cited at the outset as telling me he had reasons to question that we have stopped losing the war. This was from a Congressman fresh back from southeast Asia.

Since I quoted this in a House speech recently, I have been pressed for further details.

I do not know the final answer, of course, but I am told Americans and that United States and South Vietnam forces hold less territory now than they did a year ago. In the past it has always been the practice to gage victory in war, on the basis of which force won and held territory.

However, it looks like ultimate defeat or victory in Vietnam will come, not on the battlefield, but rather at a peace conference. If this holds true, politics being what it is with the President and his party urgently needing a settlement before the next election, many people fear defeat could come at any time because Johnson and his advisers would sign on any terms. That is why I have so consistently called for all facts to be given to the American people. Otherwise, if the people are misinformed and confused, public opinion will have no bearing on the outcome, which could be disastrous.

A Congressman recently told the Wall Street Journal that the thing that scares him is the President signing his name to almost anything in order to get a settlement. My point is, no such thing will happen if the American people are told the full story because public opinion is a powerful influence.

Meanwhile, in spite of McNamara's statement that we have stopped losing the war, here are a few facts from Senator MANSFIELD's report which could contradict this.

> The Vietcong force in South Vietnam is double that of 3 years ago. Their strength is steadily increasing.
>
> Introduction of U.S. forces—

The report says—

> have blunted but not turned back the Vietcong drive. The lines remain drawn in South Vietnam in substantially the same pattern as when the United States increased its commitment.

The Mansfield report frankly admits that the war has expanded into Laos and is beginning to lap over the Cambodian border. Worst of all, it concludes that there are no grounds for optimism that the end is likely to be reached within the confines of South Vietnam or within the very near future.

Mr. Speaker, if these facts make it appear as though we have stopped losing, there is something wrong with my eyesight. Especially this opinion should be considered in the light of the fact that the Vietcong, as I have pointed out before, hold more territory today than they did a year ago. The picture is not bright and the people should know it.

Chad Independence Day

EXTENSION OF REMARKS

OF

HON. PAUL H. TODD, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, January 17, 1966

Mr. TODD. Mr. Speaker, on January 11, Chad celebrated its Independence Day. I believe it appropriate for the House to take note of this fact and to extend its good wishes to the people of Chad.

Although facing extreme economic difficulties entailed by its landlocked position and its large desert area, the people of Chad have worked hard and efficiently to develop their economy. The country is self-sufficient in food production and exports have reached a new high.

Chad has played a responsible role not only as a member of the French community and as an associate member of the European Economic Community, but also through its participation in a number of United Nations activities.

On this day, let us offer the people of Chad our best wishes for continuing their successful development and our congratulations on their day of independence.

Washington Report

EXTENSION OF REMARKS

OF

HON. JAMES D. MARTIN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 17, 1966

Mr. MARTIN of Alabama. Mr. Speaker, under permission to extend my remarks in the RECORD, I would like to include my report to the people of the Seventh District of Alabama for January 17, 1966:

PRESIDENT NOT QUITE SURE OF THE STATE OF THE UNION

The best summary of Lyndon Johnson's state of the Union message was that it was delivered and received with a complete lack of enthusiasm. It seemed the President himself did not quite believe what he was saying. It demonstrated a lack of imaginative leadership at a time when the Nation needs inspired leadership. It was just a replay of the same old tired tune of spend and tax, more Federal control over the States and the people, and a promise of a war in Vietnam that will "last for years."

ON VIETNAM

The biggest letdown for the American people was the failure of the President to offer any positive program for ending or winning the war in Vietnam. He seemed to be willing to let the Communists decide on how the war will be fought and on what terms it will be negotiated. He failed to explain why we refuse to cut off the supply lines of the enemy by blockading the Haiphong Harbor and the Mekong River. He has no plans, evidently, for bombing strategic military targets such as the two rail lines from Red China into North Vietnam where many tons of war materiel is coming into the country, missile bases, military airfields, military fuel dumps and oil depots or ammunition plants. He made no mention of the fact that he and his political advisers are tying the hands of the military which prevents action needed to end the war in the shortest possible time.

RENEWED ATTACK ON SOUTH

In the best Johnson demagogic style he promised new attacks on the South under the guise of civil rights legislation. The effort will now be directed toward control of the jury system. This is a most dangerous area to be made subject to Federal control because the whole foundation of our judicial system with its guarantees of a fair trial for anyone accused of a crime, rests with the right of the accused to be tried by a "jury of his peers" selected without prejudice and subject to no pressures. Now the President wants to invade the jury box by giving control of the selection of jurors to Nicholas Katzenbach.

ASSAULT ON OWNERSHIP OF PRIVATE PROPERTY

He made a direct assault on the ownership and control of private property by promising to push for legislation to give "the Federal Government power to prohibit racial discrimination in the sale or renting of housing." In plain language this means "open housing," which only a year ago was rejected in California by a vote of the people. Under this program Robert Weaver, head of the Department of Housing and Urban Development, and Nicholas Katzenbach will tell you to whom you may sell or rent your house or who is going to live next door to you. This is not a racial question. It deprives any individual of his fundamental right to manage his own property and to choose his own neighbors.

ECONOMIC FIGURES JUGGLED

The President's announcement that the Federal deficit will be only $1.8 billion next year was met with amazed silence by both Democrats and Republicans. It was the general consensus of Members of Congress that this is a mere juggling of figures and a bookkeeping transaction. Planned expenditures for the poverty office alone will cause a greater actual deficit than the figure quoted by the President, and the cost of the war in Vietnam cannot even be estimated.

In promising to push for funds for rent subsidies, the President provides for another open-end raid on the Treasury. Operating under regulations laid down by Robert Weaver's new Department many Government agencies and boards are already planning to move poor families into better residential neighborhoods by renting single houses at the going rate and having the Government make up the difference in what a poor family can pay and the actual rent of the house. This is integration by economics.

PAVING WAY FOR ONE-WORLD GOVERNMENT

Suspicions were aroused by the President's proposal to demand an International Education Act for 1966 and an International Health Act for 1966 in which the United States will finance education and health on a worldwide basis before we have even implemented the programs passed last year to solve these problems in this country. The suspicion is that this program is advocated by the proponents of one-world government as a first step toward eliminating national sovereignty and placing authority in the hands of an international tribunal. Perhaps it was more than significant that the President used the term "supreme association" in referring to the United Nations. America has always placed its faith in the Supreme Being and our national life has been guided by an adherence to religious principles. Now it seems we are being moved in a subtle way to accept an organization of men as the "supreme" influence and inspiration by which we are to live.

GREAT SOCIETY PROMISES UNFULFILLED

The rosy promises of the President last year for achievement by his Great Society were exposed for what they are, empty promises. The much publicized war on poverty to date has been a failure. Although hundreds of millions of dollars have been spent by the taxpayers in the hope the poor would be helped, the sad truth is that most of the money has been wasted or has gone into the hands of a few selected and highly paid political appointees. The newspapers have been filled almost daily with stories of intradepartment squabbling, waste and corruption. The only solution the President offered in his state of the Union message was to expand the program, hire more political people, spend more money, encourage more indolence by enlarging the welfare programs. He offered no positive approach to unleashing the tremendous power of the private enterprise system which alone will provide the jobs, the wages, and the incentive to put an end to poverty.

ECONOMIC PERIL TO THE SOUTH

In several key areas the President threatens the economy of the South. His demand, under pressure by northern big city bosses, that State right-to-work laws be repealed, is a prime example. While talking out of one side of his mouth about "individual freedom" at the same time he calls for depriving the right of the workers of Alabama to decide for themselves whether or not they want to repeal these laws.

His demand for an increase in unemployment compensation and an increase in minimum wage is another move, according to the Chicago Daily News, for slowing down the movement of industry to the South. This will mean fewer jobs for our workers and greater unemployment. As the Chicago Daily News puts it: "There's more bad news for the South in the program of the 2d session of the 89th Congress. The Johnson administration is pushing three proposals that, if enacted, would seriously crimp the sales talk used by the South in recruiting new industry * * * this phase of the Great Society could inhibit the industrial growth rate of the South." The three proposals are repeal of 14(b), increase in minimum wages, and Federal standards for unemployment compensation.

A NEGATIVE MESSAGE

A disappointment in the message was that it was so completely negative. The President tried to tell us that we are enjoying the greatest prosperity ever and at the same time he said we must spend more millions on more welfare programs because our people are in such a poor and miserable situation. He made no mention of the promise that we would get more tax cuts—instead he asked that excise taxes which have been in effect only 2 weeks, be put back on. He ignored the inflation caused by big Government spending which is robbing all of our citizens of the purchasing power of the dollars in their pockets. People do not have more money because a dollar buys so much less than it did a year ago when you go to the grocery store or when you buy shoes and clothes for your children.

America needs positive leadership to free up the tremendous forces of the private enterprise system. It was through the operation of this system with its incentives to get ahead that we reached this point in history where our people enjoy the highest rate of employment and the highest standard of living for more people than any other nation in the history of mankind. Lyndon Johnson has failed to provide the kind of leadership necessary to meet the dynamic challenges of the sixties. It is now up to the Republicans in Congress, supported by those in the other party who have faith in America and its people, to provide the positive programs we need. That will be the purpose of our party and my own purpose in the session of Congress which is just beginning.

Educational Benefits for Our New Veterans

EXTENSION OF REMARKS

OF

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, January 17, 1966

Mr. ST. ONGE. Mr. Speaker, more than 21 years ago—on June 22, 1944—President Franklin D. Roosevelt signed into law one of our Nation's most successful acts of legislation: The GI bill of rights. Perhaps the most valuable and imaginative portions of this measure were its provisions for educational assistance. Among its beneficiaries are Members of this House, several Senators, Governors, and even Cabinet members. Those who took advantage of the GI bill of rights know personally its great

worth; the benefits it afforded the Nation as a whole have been no less valuable, nor in any manner less dramatic.

The United States today possesses some 450,000 engineers; 180,000 doctors, dentists, and nurses; 360,000 schoolteachers; and 150,000 scientists, educated with the assistance of the GI bill. It helped to finance the college expenses of 2.2 million veterans of World War II; moreover, it assisted 2.1 million GI's in paying for on-the-job training. A total of 7.8 million veterans benefited from the legislation. The quality of America, therefore, increased as almost a generation of its people was educated through the GI bill.

The total cost of this portion of the bill was unquestionably great: $13 billion. The cost has, however, already been paid in full as approximately $1 billion in tax revenues is gained annually from the increased earnings of those aided by the GI bill. The expense was, therefore, a well-justified loan to our own people—a wager on the future of our servicemen.

The GI bill enhanced the moral, as well as the material, condition of our country. It fulfilled a nationwide obligation to compensate servicemen for sacrifices on behalf of their Nation. It reemphasized our belief in the promise of our Nation's future. And, above all, it dramatized our faith in democratic values by expressing the primacy of our concern for the human quality of our citizens. It has been rightfully pointed out that the cost of this program can be counted in dollars, but there is no way to set a value on the far-reaching influence for good it has exerted in the course of our national life.

Unfortunately, the educational benefits under this act have been terminated for veterans who have served since 1955. A generation of veterans of the cold war, namely, those who have served during the past 11 years, are being deprived of the benefits of this inspired legislation. There is no reason in the world that this should be so.

As in the years of World War II, we are engaged in a protracted struggle with an alien, ruthless, and totalitarian ideology. Our servicemen in Vietnam today are fully as important as were those of 20 years ago. The battle they wage is equally as essential to the security of our Nation. Today's conflict demands from its participants what was required of the military of the Second World War: readiness to sacrifice one's life, if necessary, for the protection of our country.

Hundreds of Americans have died in South Vietnam in the last few years. American servicemen were killed in recent years in Panama, in the Dominican Republic, in Lebanon, and Berlin. In these and other places, our military has demonstrated its readiness to sacrifice their lives for our Nation. We are therefore as indebted to them as we were to the soldiers of World War II. We would be derelict in the fulfillment of our obligations were we to deprive them of the educational benefits of the GI bill to which they are rightfully entitled.

For these reasons, Mr. Speaker, I introduce a bill to continue the educational provisions of the act of 1944. It is known as the Cold War Veterans Readjustment Assistance Act. An identical measure has been sponsored by Senator RALPH W. YARBOROUGH, of Texas, and 38 other Members of the Senate. I urge that we in the House join our colleagues in the other body in renewing this imaginative, valuable, and eminently successful piece of legislation.

As a result of the benefits provided by the GI bill of rights, most of the veterans of World War II have been restored to the mainstream of the Nation's life and activities, they are better off in terms of health and education, they enjoy better housing and higher incomes than the nonveterans. It is no more than fair for the Nation to provide the same or similar benefits to those who have served in our Armed Forces in the past decade and those who are serving in Vietnam and will be the veterans of tomorrow. They must be given the same opportunity to acquire an education and specialized training that would not be otherwise available to them.

Mr. Speaker, I have obtained some interesting figures from the Veterans' Administration on the educational benefits as provided under the GI bill during the years it was in effect. They are as follows:

Seven million eight hundred thousand veterans took advantage of these provisions at a total cost of $13 billion: First, almost 2.2 million enrolled in colleges; second, 3.5 million enrolled in other schools; and third, 2.1 million received on-the-job training.

The following specialists were developed as a result of the opportunities furnished by the GI bill:

First, 450,000 engineers; second, 180,000 doctors, dentists, and nurses; third, 360,000 schoolteachers; fourth, 150,000 scientists; fifth, 243,000 accountants; sixth, 711,000 mechanics; seventh, 383,000 construction workers; eighth, 138,000 electricians; and ninth, 288,000 metalworkers.

The Bureau of the Census reports that an extra $1 billion per year is gained in tax revenue due to the higher earning power of those educated through the GI bill. College graduates earn nearly twice as much in a lifetime as do graduates of high school.

Of the 5.5 million veterans of the Korean war, 2.3 million took advantage of this portion of the act.

Nonstatistical benefits of the GI bill, as analyzed in a study made in 1956 by a committee under Gen. Omar Bradley:

First. Economic effects: The GI bill helped to avoid the predicted postwar recession by increasing earning and purchasing power and by creating credit for capital investment.

Second. Political effects: The GI bill avoided economic, social, and therefore political postwar dislocations by assimilating military personnel into civilian life. Insofar as it created and fulfilled optimistic expectations of civilian life on the part of American servicemen, it aided the process of successful demobilization. The bill also created new sources of leadership.

Third. The bill paid a nationwide debt owed to the servicemen for their personal sacrifices on behalf of the country.

Fourth. The bill was a dramatic demonstration of democratic values as it represented an investment in human value.

WHY COVER COLD WAR VETERANS?

First. About 5 million military personnel are not covered by the GI bill. These are the men who have enlisted since the Korean war and are the so-called veterans of the cold war.

Second. Despite the fact that the United States is not officially at war, the same sacrifices are required of today's servicemen as were made by those in World War II and the Korean war. American soldiers have been killed in Vietnam and other places. The same is demanded of today's soldiers as was demanded in former times: that they be prepared to die for the sake of national security. It must also be remembered that only a small portion of the 11 million men who served in World War II saw action, but all received the benefits of the GI bill.

Third. As in the time of World War II, it is necessary that today's servicemen not be excluded from the benefits of civilian life. With the high educational requirements necessary for employment, it is especially necessary that veterans be afforded educational opportunities after their period of service.

Fourth. The GI bill should be extended to help remedy the inequities of the current selective service system.

Zero Defects Program

EXTENSION OF REMARKS

OF

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 17, 1966

Mr. MILLER. Mr. Speaker, in October 1964, I was invited to speak at a ceremony in San Leandro, Calif., when Kaiser Aerospace & Electronics Corp. dedicated a new numerical control machining plant.

In December 1965, I returned to the same plant to take part in another ceremony when the plant manager was presented with the coveted U.S. Air Force Zero Defects Achievement Award.

Such a fine achievement in so short a time is, I believe, worth bringing to your attention. It illustrates pride of workmanship among aerospace craftsmen. Such a pride is essential not only for the defense of our country but also for the success of our exploration of outer space.

As we rely more and more on missiles to provide the major deterrent to a nuclear attack, we are utterly dependent on the craftsmanship and dedication of all the thousands of men and women who

make the components that fit into a missile. After a missile or spaceship leaves the launch pad, it cannot be repaired like the car that breaks down on a freeway.

The zero defects program aims at improving workmanship and stimulating a feeling of personal responsibility in all aerospace personnel. The program was implemented by the Air Force in February 1965, and has already saved the taxpayers thousands of dollars by reducing waste and scrap.

The program is based on the principle of defect prevention through inducement and motivation and is designed to encourage members of the defense industry to promote programs of efficiency and perfection through individuals.

Kaiser Aerospace & Electronics was one of 229 companies which pioneered the program, and on June 2, 1965, the corporation was presented with a participation award, which recognizes those companies who voluntarily agree to join the program.

The citation on the participation award reads:

The Kaiser Aerospace & Electronics Corp., an Air Force prime contractor and subcontractor, and its employees voluntarily established and agreed to participate in the U.S. Air Force zero defects program. Kaiser Aerospace & Electronics Corp. initiated the program on October 1, 1964, and more than 95 percent of the employees freely pledged themselves to strive constantly for improved quality of workmanship. Measurement provisions were established in three areas, and the performances record from point of inception has been fully validated.

In recognition of Kaiser Aerospace & Electronics Corp. employees who participated in the contractor-sponsored zero defects program and who met or exceeded those parameters established for the award, their contribution in the defense preparedness effort entitles them to the U.S. Air Force Zero Defects Program Participation Award.

Of the 259 defense contractors who have joined the zero defects program, only 65 have qualified for the participation award, and 17 for the achievement award.

The achievement award is presented to those plants which have demonstrated significant achievements or improvements against contractor-established goals.

The citation for Kaiser reads:

Kaiser Aerospace & Electronics Corp. employees have distinguished themselves by attainment of significant achievements during the period October 1, 1964, to June 30, 1965.

During this period the combined efforts of management, engineering and administration employees have significantly contributed to the achievement of a 36-percent improvement in manufacturing areas. A cost savings and cost avoidance of $169,000 was realized through the reduction of defects and the improvements in work performance.

These noteworthy achievements are recognized as significant milestones in furtherance of the Air Force zero defects program objective of efficiency and perfection through people. The distinctive accomplishments by the employees of Kaiser Aerospace & Electronics Corp. have reflected great credit upon themselves and have identified their corporation as a vital Air Force partner in the defense industry.

The award and citation were presented to Plant Manager Thomas W. Lee at a ceremony in San Leandro on December 21, attended by employees of the morning and afternoon shifts.

Clay P. Bedford, president of Kaiser Aerospace & Electronics Corp., congratulated his San Leandro employees on their achievement and read a poem—a favorite of Henry J. Kaiser, the distinguished founder and head of the Kaiser enterprises. He said this caught the spirit of the vast Kaiser organization:

All have a share in the beauty,
All have a part in the plan.
What does it matter what duty
Falls to the lot of man?

Someone has blended the plaster,
And someone has carried the stone;
Neither the man nor the master
Ever has builded alone.

Making a roof from the weather,
Or building a house for the king,
Only by working together
Have men accomplished a thing.

Thomas Lee outlined the slogan contest which is held every month at the plant to popularize the zero defects program. An electric carving knife is presented to the family which suggests the best slogan. Four wives and one daughter won the first prizes, and this illustrates that the families of the employees are backing the program as well as the employees themselves.

In September, Mrs. Clara Harris, wife of Machinist Leon Harris, won the prize with the slogan: "Be it big or be it small; do it right or not at all."

In October, the best slogan of: "If perfection is the game; zero defects is the aim" won a prize for Mrs. Helen Stayrook, wife of Machinist Roy Stayrook.

In November, it was Mrs. Brigida Valle, wife of Inspector Juaquin Valle, who won with the slogan: "Zero defects is our goal; full speed ahead let her roll."

The December award was won jointly by Miss Dixie Ding, daughter of Helen Ding, and Mrs. Jeanne Turnage, wife of Materials Manager William Turnage. Miss Ding's slogan was: "Get in the groove and really swing; go zero defects in everything."

And Mrs. Turnage coined:

"To stop those little defects,
To stop those big ones too,
To prevent all of the rejects
Zero Defects is the clue."

Col. W. K. Ashby, director of quality assurance and head of the zero defects program for the San Francisco region, pointed out that Kaiser won the achievement award in record time.

Brig. Gen. Daniel E. Riley, U.S. Air Force, commanding general of Air Force Contracts Management Division at Los Angeles, presented the award, congratulated Kaiser employees and said it was a fine example of team spirit.

We all benefit from your work—

He said.

There comes a moment of truth during the blastoff of a missile, when the value of zero defects comes home to us.

This award is to recognize the part you all play in the defense of our country. Do not relax now. When we say "zero defects," we really mean zero. That is our aim. That is what we are training our sights on.

I would like to challenge you all to go one stage further and make a bid for the craftsmanship award—the highest in the zero defects program.

This will be presented to the contractor and his employees for a combination of sustained performance and outstanding achievements in such activities as cost reduction, product reliability, safety, reduction of errors, and amount of scrap.

In my brief remarks, I observed:

If we can be sure that each missile is so constructed that it contains no defects, and if every plane that flies through the skies is flawless because every man, who helped to make the parts, gave of his best, then we would be a happy nation.

The Kaiser organization can be proud of you. I want to thank you all on behalf of the Government.

In addition to its production of aircraft parts, solid rocket nozzles for the Minuteman and Polaris programs and spaceship components, Kaiser Aerospace & Electronics Corp. produces the Kaiser Flite-Path system—an advanced system of aircraft cockpit instrumentation—at Palo Alto, Calif., for Grumman Aircraft Corp., for use in Navy planes.

The company has an electronics plant at Phoenix, Ariz., which produces ground support equipment for the Kaiser Flite-Path and has recently entered a new field, community antenna television equipment.

Speaker McCormack Looks at the 1966 Session

EXTENSION OF REMARKS

OF

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, January 17, 1966

Mr. ST. ONGE. Mr. Speaker, the monthly publication New Englander, a business news magazine published by the New England Council, contains in its January 1966 issue a well-written and informative article by our distinguished Speaker, the Honorable JOHN W. MCCORMACK. The article is entitled "Congressional Legislative Outlook for 1966."

It provides us with an excellent insight into the current session of Congress as seen by a man who has been a Member of Congress for more than 47 years, served for many years as majority leader and for the past 4 years as Speaker of the House. Although the article was written before the session started, I am sure my colleagues will find it of great interest.

Under leave to extend my remarks, I wish to insert this article into the RECORD.

CONGRESSIONAL LEGISLATIVE OUTLOOK FOR 1966

(By JOHN W. MCCORMACK)

While my assigned topic is to set forth the likely congressional legislative program for the upcoming year with particular reference

to its effect on New England, I feel, as the Congress which will meet in January is the same Congress which adjourned in October, a brief backward glance, by way of introduction, at what the 89th Congress did during its 1st session might provide valuable clues as to its likely course of action during its 2d session. The 89th Congress responded in a responsible and humanitarian manner to the complex economic and social problems with which mid-20th century American society is faced. The legislation passed by this Congress has already produced a robust and expanding national economy, and it acted in a statesmanlike manner to carry out our military and moral commitments as the leader of the free world and thus help maintain peace.

It is unnecessary to belabor the point that the maintenance of national prosperity and world peace is of overriding concern to New England as it is to every other region of this country, dwarfing into insignificance any purely regional matters.

In cooperation with the splendid leadership of President Johnson, this Congress has written the most outstanding record of legislative achievement in American history. In its deliberations and actions in the domestic area it has been the coauthor with the President in formulating a whole battery of programs which, by aiding and uplifting our less-fortunate fellow citizens, will make this country truly a more perfect democracy and thus bring us closer to the attainment of those ideals set forth in the Declaration of Independence and the Constitution. I feel certain that in broad general terms the 89th Congress will in its 2d session continue to move in this same progressive, humanitarian direction.

As to specifics, it would be impossible and I feel most inappropriate for me at this time to try to set forth in any detail next year's congressional legislative program. Shortly after the first of the year, I am certain the President will hold a meeting with the Democratic congressional leadership at the White House, outline his legislative objectives for the upcoming congressional session and submit them to the leadership for tactical advice and guidance. Only then would I be in a position to enumerate at any length the bills which the Congress will be likely to act on during 1966.

VITAL INTEREST TO NEW ENGLAND

Nevertheless, we shall be required to take action in a number of areas all of which I feel certain will be of vital interest to New England. First, it is mandatory that the several Great Society programs enacted during 1965 be adequately funded in 1966. Many of these programs were long-term in nature, providing for a relatively small beginning initially but authorizing a greatly accelerated operation in future years. Because of this, in many cases they will require substantially larger appropriations for fiscal year 1967 than were provided in last year's Appropriation Acts.

Included among such programs are those authorizing Federal assistance to combat air and water pollution, highway beautification, urban renewal and planning, grants for community facilities, mass transportation, antipoverty, and Federal aid to education, higher, secondary, and primary. The primary thrust of many of these programs will be in the urban areas. New England, being almost exclusively urban, therefore has an important interest in their successful long-term implementation.

In addition, two of the truly great social reform measures enacted during the 1st session of the 89th Congress—namely, rent supplements and the Teacher Training Corps—were not provided with any funds prior to adjournment. The Teacher Training Corps would provide Federal financial assistance to send specially trained experienced teachers into poor areas, both rural and urban, to enable those areas to uplift the quality of their teaching. Complete control of educational policy would, of course, continue to reside in the local communities. Both private and public schools would be eligible for this aid.

The rent supplement program would afford private enterprise an opportunity to rehouse our poorest citizens in decent housing; it would be in addition to and not replace the existing public housing program. The importance to the New England States of these worthy programs is, I believe, self-evident and it is imperative that both be adequately funded by the Congress early next year.

SEVERAL BILLS PENDING

Despite the unprecedented legislative output during the past session, several vital bills remained pending before the Congress when the first session ended. A proposal to strengthen fair employment practices has been reported by the House Education and Labor Committee and made in order for consideration by the House under the 21-day rule. It will be programed for early floor action in 1966.

Another measure raising the minimum wage and broadening its coverage has likewise been favorably reported by the House Education and Labor Committee. I have always strongly supported minimum wage legislation, having helped pass the original Fair Labor Standards Act in 1938 and voted for every subsequent improvement in that law. I shall therefore, of course, give my full support to legislation to raise the minimum wage and expand its coverage when the measure is considered by the House early next year.

President Johnson has strongly recommended to the Congress that our unemployment insurance system, which has not been substantially modified since its inception 30 years ago, be updated so as to better implement its objective of strengthening our family life. A bill to carry out the President's recommendations is now pending before the House Ways and Means Committee, and it will be quickly programed for action in the House as soon as it is reported by that committee.

NEW ENGLAND CAN GAIN A GREAT DEAL

I am firmly convinced that the New England economy has a great deal to gain from the passage of all of this legislation as indeed it has benefited from the Great Society laws already passed. The enactment of all three measures will result in increasing the purchasing power of the great mass of American workers who then in turn will be good customers from New England's manufactured products. Legislation such as FEPC, minimum wage, and unemployment insurance are sometimes pictured by their opponents as antibusiness proposals. Nothing could be further from the truth. Quite the contrary, they are truly probusiness measures of the most basic nature because they provide social justice.

It behooves the New England business community as well as all business to give its support to this type of legislation, not only because such legislation is morally right and strengthens the social fabric of this Nation, but because the prosperity and welfare of business in the last analysis always rests upon the availability of customers with adequate purchasing power. It is upon mass effective demand that continued business expansion is dependent, and the only way such mass demand can be sustained over any period of time is to make sure that this country has full employment for all of its citizens without regard to creed or color, at adequate wages and enjoying the type of economic security which a modernized unemployment insurance system would provide.

In conclusion, I would state that our economy is now a truly integrated one. New England as a region, while of course possessing unique assets and problems, can only prosper and flourish as a part of an overall dynamic national economy. The policies and programs being pursued by President Johnson's administration and the 89th Congress are without doubt those best suited to the continued expansion and health of that national economy.

Remarks of Congressman William M. Tuck, Democrat, of Virginia, at the Annual Meeting of the Virginia Association of Soil and Water District Supervisors at Richmond, Va., January 11, 1966

EXTENSION OF REMARKS

OF

HON. WATKINS M. ABBITT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 17, 1966

Mr. ABBITT. Mr. Speaker, on last Tuesday, January 11, the Honorable WILLIAM M. TUCK, of the Fifth District of Virginia, addressed the annual meeting of soil conservationists in Virginia and made a splendid address.

Congressman TUCK served as Governor of Virginia from 1946 until 1950 and has an intimate knowledge of the problems of water and soil conservation not only in our State but throughout the Nation. His remarks are so timely and so interesting that I would like to commend them to the reading of the Members of the House.

I take pleasure in inserting his address in the RECORD at this point:

REMARKS OF CONGRESSMAN WILLIAM M. TUCK, DEMOCRAT OF VIRGINIA, AT THE ANNUAL MEETING OF THE VIRGINIA ASSOCIATION OF SOIL AND WATER DISTRICT SUPERVISORS AT RICHMOND, VA., JANUARY 11, 1966

It is a pleasure to participate in your annual meeting, and to meet with you experts in the conservation and development of our land and water resources. There is nothing more basic to our economy and welfare than our natural resources. It is an inescapable fact that what we do with our natural resources will not only affect our social and economic welfare of today, but also pave the way for future developments.

Although I am not a conservation expert, I am well acquainted with the soil conservation movement. I am aware of the need for a technically sound conservation plan on all land, whether it is farmland or not. I am proud to say that my own farm is a better one for the use of the technical know-how that has been developed in the last 30 years.

I am not a stranger to the soil conservation movement in Virginia. I have followed it as a member of the general assembly, as Governor, and as a Member of Congress. I have noted with great interest the concern of the people of Virginia in our great land and water resources. I have seen interest in soil conservation grow through the expanded soil conservation district programs. I believe in these programs and have expressed my support of them in the Congress.

In Virginia, we have already come face to face with soil and water problems that every community faces today.

The rapid growth of population demands space for homes, industries, highways, schools and playgrounds, shopping centers, and recreation areas, as well as the water, sewerage,

and other facilities that must accompany this growth. While in Virginia the expansion is most noticeable near the large metropolitan areas like Washington, Norfolk, Richmond, Roanoke, and Petersburg, it is by no means confined to them. Practically every small city and town is experiencing this growth. The State is actively encouraging industry to move in. The highway system is being improved and linked into the interstate systems. Tourism is big business and is growing. State and local planning groups and commissions are working on long-range land-use plans. Health and sanitary agencies, county planning and zoning boards, housing developers, and county governing bodies are becoming aware that we need careful, long-term planning if we are to make the best use of our land and water.

Our internationally famed Dulles Airport in Virginia near Washington is a showcase for aviation industry. It is also a showcase for conservation and its part in developing land to protect a community during and after construction. It reflects credit on the work that soil conservation districts are doing, and the tremendous part they can and should plan in nonagricultural development of rural land. It is an example of teamwork between a soil conservation district and Federal agencies.

The Potomac River is another of our attractions. What is done on much of our northern Virginia land contributes either to the beauty and usefulness of this great river or to its pollution.

I know that the soil conservation districts within the Potomac River Basin have been working in the hope of making this stream a model of scenic and recreational values. I believe the work they are doing to keep the soil on the land is one of the important phases of our program to beautify the Potomac. Nearer Washington, urban development and other problems are going to have to be dealt with also. I hope that you as experts in conservation and development of our land and water resources will make yourselves heard and be a part of the campaign to clean up this historic river that has the potential to provide beauty, pleasure, and relaxation to those who live nearby and to those who come from all over the world.

The Potomac River and the Dulles Airport are showcases that are open to view by visitors from far and wide. However, the conservation work that you are doing throughout Virginia is no less vital to the health of our natural resources, to the economy of the State, and to the welfare of its people.

Congress, since it set up the mechanism through which the soil conservation movement began over 30 years ago, has continued to add tools for use in resource conservation. It has supported sound conservation programs.

In this decade, the U.S. Congress has broadened the soil and water conservation program by new legislation and by amendments to the old.

The Watershed Protection and Flood Prevention Act has been amended to strengthen the assistance available from the Federal Government in order to make the program more effective. A 1962 amendment provided for Federal assistance in developing public recreation facilities and water storage for future municipal or industrial use. The amendment enables local communities to make greater use of the multiple-purpose principle.

Fortunately, one resource can often be put to many uses. And when local people and public agencies work together, the results are far better than those obtained when development is piecemeal or through programs with single-purpose objectives.

Our growing population and the complexity of our economy are adding new dimensions to the problem of resource management in this Nation. There are more claimants for natural resources and resource products, and the result is conflict and competition. This increases the need for multiple use so that several needs can be satisfied from a given source. It creates the need for coordination so that waste and mismanagement can be prevented.

The small watershed program provides for the multiple-use concept and it adds some other highly important ingredients—local leadership, local coordination, and local participation. Undoubtedly the involvement of local people is the reason the program has been so effective.

Our Mountain Run watershed project in Culpeper County has gained nationwide attention since it was dedicated in 1961. I am very proud of it. It is an example of the economic benefits a community can obtain through a multiple-purpose project that provides a dependable water supply and overcomes the threat of flood damages.

I am told that, since the national small watershed program began, reservoirs that have been built, or that have been authorized, will provide water to more than 100 cities and towns ranging in population from a few hundred to about 70,000, and totaling over 624,000. Since the 1962 amendment, interest in including water supply in watershed projects has increased considerably.

Development of public recreation facilities in watershed projects has also been stepped up considerably since the 1962 amendment. I understand that recreation is included in 67 of the projects designed since 1962, and that they will provide over 4 million visitor-days of recreation annually when completed.

I am well pleased that Virginia has taken advantage of the provisions of these amendments. Ten of the 25 watershed projects you are installing are multiple purpose. Nine of them include municipal water supply and one of these also includes recreation. More than 100,500 people in Culpeper, Keysville, Madison, Staunton, Luray, Drakes Branch, Chatham, Louisa, and Mineral and in Albemarle and Augusta Counties will benefit from the water supplied from reservoirs in these projects.

During the calendar year 1965, congressional committees approved for operations 99 projects—the largest number in any 1 year since the Watershed Protection and Flood Prevention Act was passed in 1954. About 65 percent of these projects were designed for municipal water supply, recreation, or agricultural water management, in addition to flood prevention.

For this fiscal year, the Congress has increased the watershed protection appropriation to relieve the backlog of worthy watershed projects that have been planned and are ready to move ahead.

The drought conditions in the eastern United States during the last 3 years has made us all more conscious of the need to plan carefully for water supply. It has generated interest in local water problems. It has also brought farm and nonfarm people together to work out long-term plans and come up with something that is beneficial to all segments of the community.

Demands for land and water are increasing so rapidly that only by this type of teamwork can the available resources satisfy the needs. There is just so much land and water. We have to make the best use of it. This requires careful planning. You are experts in the conservation field. Your experience, your know-how, is sorely needed in resource planning. I urge that your soil conservation district programs include plans to make the best use possible of land and water resources to enhance the economy of the entire community.

We cannot afford to waste water in our homes, in industry, or on our farms. We cannot afford to let good usable water run off to waste, eroding our farmlands, flooding our valleys, and silting up our reservoirs and waterways in the process.

In 1965, the Congress added other tools through which the Nation's water and other resource problems can be evaluated and relieved.

The Rural Water and Sanitation Facilities Act, for example, provides loans and grants to plan and construct community water supply and sanitation facilities in rural communities not in excess of 5,500 population.

The Water Quality Act provides for the establishment and enforcement of water quality standards for interstate streams. It increased Federal grants for construction of community sewage projects.

The Water Resources Planning Act provides for Federal and regional coordination of plans for water resources development. It authorized Federal matching grants for the States for development of water resource programs.

The Federal Water Projects Recreation Act provides uniform policies for fish and wildlife enhancement and recreation in Federal multiple-purpose water resource projects.

Other legislation is aimed at creating more jobs and economic opportunities in hard-pressed areas through resource development. The Appalachian Regional Development Act and the Public Works and Economic Development Act both provide for stepped up or expanded resource development activities.

The cropland adjustment program, aimed at removing surplus production, emphasizes shifting land into public benefit uses that also conserve soil and water to meet future needs. It also offers opportunity for landowners to receive increased payments if they open their land to the public for recreation uses such as fishing, hunting, hiking, and trapping.

Future legislation will continue to reflect the needs and wants of the people. It will reflect the changes of the time—changes in resource demands and conservation and development problems, expanded population, changes in land use, leisure time, and the affluency of the Nation.

I consider resource conservation and development an important part of making rural America a place of opportunity for all who dwell there. I consider it extremely worthy of support by the U.S. Congress, by State legislatures, by cities, and by counties, and by the people—all the people, for they are the beneficiaries.

This year the Congress increased Soil Conservation Service funds $9.5 million over last year. The SCS contribution to soil and water conservation activities in Virginia during fiscal year 1966 will amount to an estimated $4.5 million. This is more than double the 1960 figure.

The Virginia State Legislature appropriated $232,600 for soil and water conservation work in fiscal year 1966. This includes $93,075 for planning watershed projects and $14,520 for installing projects. It also includes $80,000 to help speed up completion of soil surveys in counties that have urban conservation problems or where problems are anticipated.

The value of local governmental contributions to help carry out the program of local soil conservation districts in Virginia for fiscal year 1966 is approximately $69,715.

One of the most important ingredients to the success of the conservation program is local financial support. As the conservation job becomes more complex, the State and local funds will need to be increased—not to take the place of Federal funds, but to supplement them or to extend their effectiveness.

Of the 25 million acres within the boundaries of the 31 soil conservation districts in Virginia, I note that basic conservation plans have been made on only 5.5 million acres. The plans have been fully carried out on only 2.4 million acres.

I realize that not as much technical help is available as needed. I know that Federal technical assistance in planning and applying conservation measures is limited. That is why government at all levels must give financial support to the conservation program. That is why I opposed the proposal before Congress last year that required farmers to pay part of the cost of the technical assistance that has been free from the Federal Government. I believe that it would curtail conservation work that benefits the farmers and the whole community. I believe that it would have set conservation back 30 years and have laid us wide open to future conservation problems.

The demands on our land and water resources in the next few decades will grow tremendously. To meet the requirements for food, for recreation, for industry, for places for an expanding population to live, work, and to go to school, for highways, reservoirs, forest products, will call for wise planning and efficient management of our resources. We will need to prevent erosion and flood damages to our valuable land. We will need to improve water resources, to prevent water shortages, and to avoid water waste.

I think we have an excellent team. There is no doubt that we can do it. But it will take the involvement of both land users and consumers, both rural and urban people. Only then will we be able to go full steam ahead.

South Jersey Troops in Vietnam

EXTENSION OF REMARKS

OF

HON. THOMAS C. McGRATH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, January 17, 1966

Mr. McGRATH. Mr. Speaker, during my Christmastime tour of Vietnamese fighting areas, I was fortunate in meeting a number of fighting men from several services. The high state of their morale and training, their understanding of their mission, their respect for the Vietnamese people, and their eagerness to do the job they are in Vietnam to do was, I found, typical of all the American military men—officers and enlisted men of all services—with whom I spoke while in Vietnam.

Therefore, I feel it might be of interest to my colleagues to read of the reactions of the soldiers, sailors, and marines from New Jersey's Second District, which I enumerated in a news release which I have sent to newspapers and radio stations in my district. The news release reads as follows:

WASHINGTON, D.C.—Servicemen from the Second District fighting in Vietnam, visited by Representative THOMAS C. MCGRATH, JR., Democrat, of New Jersey, at Christmastime, "were all in high spirits and grateful for letters of encouragement and gifts from the folks back home," the Congressman said upon his return here.

During his tour of the fighting areas last month, Representative MCGRATH visited installations of the 1st Air Cavalry Division, the 3d Marine Division, the Rung Sat Special Zone River Attack Group, a special forces fort near the Cambodia border, flew with the Air Force, and went aboard the nuclear carrier USS *Enterprise* in the South China Sea.

"At each stop on my inspection tour I looked for men from Atlantic, Cape May, and Cumberland Counties, and did locate eight of them and narrowly missed two others, for whom I left messages," the Congressman said.

"Without exception, I found them all in fine health and at the peak of training, their morale was high, and they were, to a man, fully aware of the reasons they were in Vietnam and eager to do their part to end this terrible warfare against the Vietcong," Representative MCGRATH declared.

Serving with 3d Marines at Chu Lai, the Congressman talked with Sgt. Larry Mullin, son of Mr. and Mrs. George Mullin of 124 East Edgewater Avenue, Pleasantville, and Sgt. William B. McLaughlin, son of Mrs. W. McLaughlin of 224 North Dudley Avenue, Ventnor, and husband of Mrs. Diane Gruhler McLaughlin of 520 Broad Street, Pleasantville.

Sergeant McLaughlin said that since his unit, the 4th Marine Regiment, landed at Chu Lai in early August, "we can see a definite improvement in the situation." Sergeant Mullin told the Congressman, "There's no question that we're doing a lot of good here."

Lt. Larry Letzer of 341 31st Street, South, Brigantine, had just arrived in Vietnam when he encountered Representative MCGRATH at Tan Son Nhut Air Base near Saigon. Serving with a photo reconnaissance outfit, Lieutenant Letzer noted that he and all the other members of his unit had volunteered for duty in Vietnam. "It's a job that has to be done," he told his Congressman.

Aboard the *Enterprise*, Representative MCGRATH met Aviation Machinist's Mate 3c James B. Hill, son of Mr. and Mrs. James S. Hill of 412 Mulberry Avenue, Pleasantville, who has been aboard the "Big E" for 2½ years and was spending his fourth consecutive Christmas season away from hime.

Attached to a reconnaissance attack squadron, Hill said "our morale has taken an upward turn in the past month or so, and we realize now that the draft card burners in the States are just a small group of immature adults."

Marine Pvt. G. M. Sorg, Jr., of 807 White Horse Pike, Egg Harbor, was on patrol when Representative MCGRATH visited the 4th Marine Regiment at Chu Lai, but the traveling Congressman left a message for the home district fighting man.

Two Infantry sergeants from Cumberland County, both serving with the 1st Air Cavalry Division at An Khe, were awaiting Representative MCGRATH when he arrived at that well-fortified enclave guarding Highway 19 from the coast to Pleiku.

Sgt. Frank C. Giordano, of 510 Oxford Street, Vineland, a squad leader in the 1st Platoon of C Company, 1st Battalion, had served 3 years with the Marines before joining the Army 3 years ago. He told his Congressman "there's plenty of fighting here, but it's not as bad as I'd imagined it would be."

Sgt. Paul J. Maines of Bridgeton, although he has no address there at present, is serving in C Company of the 2d Battalion, at An Khe. He told Representative MCGRATH that "we're doing a job that must be done and getting it done the best we can."

"He told me he feels the main thing is to give the Vietnamese a chance to live the way we do," the Congressman recounted. "Sergeant Maines said he's sure the Vietnamese will build a great democracy and they're very curious about life in the States."

Another Vinelander, Marine Pvt. Eugene Lewis of 505 North Third Street, was on duty when Representative MCGRATH toured the Chu Lai installation and, here, too, the Congressman left a message for the leatherneck.

Lt. Col. James D. Kennedy, son of Mrs. Irene E. Kennedy, of 1022 Maryland Avenue, Cape May City, was in Saigon on a supply mission for his special forces unit when Representative MCGRATH met him. Colonel Kennedy is with an Army concept team, doing research and development work on concepts and equipment used by the special forces all over the fighting area.

"Jim said he thinks the military situation is improving in Vietnam, and the morale of the Army of Vietnam (ARVIN) forces has gone sky high recently due to military successes against the Cong," the Congressman said. "He added our own soldiers are learning how to fight this strange type of war, and the planning and crash work which has gone into better preparing U.S. forces for this kind of warfare amazes even an old soldier like him."

At Chu Lai, Representative MCGRATH met Marine Pvt. G. A. Defero of 1400 West Glenwood, Wildwood, who serves with the 4th Marine Regiment. Defero told the Congressman many men in his unit have been receiving anonymous mail from antidraft people in the States and added many of his buddies would like to go to the States and tell them off.

"I was tremendously proud of the job the men from our district are doing in the various branches of the military service in which they're serving in Vietnam," Representative MCGRATH said upon his return.

"As 'Christmas gifts,' I gave each of the fellows I met from home, and lots of other U.S. servicemen with whom I talked, ballpoint pens and urged them all to write home and tell their folks and friends just what the war is like in Vietnam and what we're attempting to do there. They know people stateside read a great deal about opposition to our involvement in Vietnam and I said they'd be happy to know the morale among our troops is so high. They all seemed eager to write home," Representative MCGRATH said.

"I was sorry I couldn't meet more of our second district fighting men, but at some of the installations I visited there were only a handful of American advisers, and none from our district among them.

"It struck me that if every American could see, as I saw, the conditions under which they're fighting, and learn first hand some of the civil complications and the psychological problems of the Vietnamese, our efforts to maintain the freedom of South Vietnam would have even greater support here," he added.

Representative MCGRATH visited Vietnam during the Christmas holidays at his own expense, and while there toured some of the U.S. installations in the midst of Vietcong territory. While leaving the special forces fortress at Minh Thanh, the helicopter carrying the Congressman sustained two rifle hits from Cong guns, narrowly escaping injury or worse.

"Compared to what our troops face every day and night, my close call was nothing," he said. "It only served to make me more proud and more appreciative of the job our men are doing there," he declared.

Report on Vietnam

EXTENSION OF REMARKS

OF

HON. JAMES D. MARTIN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 17, 1966

Mr. MARTIN of Alabama. Mr. Speaker, following the adjournment of Congress it was my privilege to make a study tour of southeast Asia, including Vietnam. This trip was not made as a part of any committee, but at my own expense so that I could report to the people of the Seventh District of Alabama,

the situation in Vietnam as I saw it from firsthand inspection.

Upon my return I issued a report to my constituents on Vietnam and, under permission to extend my remarks in the RECORD I would like to include that report. Of course, there have been later developments since my return from Vietnam, including the massive peace drive launched by the President over the Christmas period.

I believe we should do all possible to seek a peaceful solution to the war in Vietnam and I find no fault in the efforts to do so. My concern is, that in our intense desire for peace that we may settle for less than victory. I would hate to think that Vietnam will become another Korea and that 12 years from now we will still have thousands of American boys still stationed in those jungles to maintain a peace that is not really a peace, but rather a stalemate. I would hate to think that we would get a peace in Vietnam by giving in to the Communists as we did in Laos and permit a Communist takeover under the guise of a coalition government.

We should be prepared to negotiate, but at the same time we should maintain our strength, our capacity for victory and make sure that the enemy knows we have that capacity and will use it if forced to do so by their failure to end their aggression.

My report on Vietnam, which was released in December, follows:

SPECIAL REPORT ON VIETNAM

(By JIM MARTIN, Member of Congress)

The cold war between the Communist conspiracy and the free world has become a hot and blazing war in Vietnam. Contrary to the statements of the pacifist and pro-Communist demonstrators, the war in South Vietnam is not a civil war against a tyrannical government. It is naked aggression of South Vietnam by Communist North Vietnam, encouraged and supported by Red China and Soviet Russia. I have just traveled more than 20,000 miles through all of Asia and into the Middle East for a firsthand investigation. This report is based on conditions as I found them in my tours of the villages of Korea, Taiwan, South Vietnam, Thailand, and India; through briefings by our civilian and military leaders and through lengthy conversations with the businessmen, industrialists, political leaders, and the people of all the countries I visited.

Any study of the war in Vietnam must begin with the stated creed of the Communist leaders of Red China. Mao Tse-tung, head of the Communist Party in China, has stated:

"Every Communist must grasp the truths. Political power grows out of the barrel of a gun. Whoever has an army has power, for war settles everything. The theory of war and strategy is the core of everything."

Every action of Red China has been based on that creed. They have attempted to stir up discontent and revolution in both Africa and Asia and where subversion did not work, they resorted to upright aggression as in Korea and now in Vietnam. This is the enemy we face, and the Communist goal of world domination has never changed. Even now the only differences between Red China and Soviet Russia is on how to accomplish the goal. The Russian leaders believe the world can be subverted through subtle means while the Chinese leaders believe in the hard core Communist line of Lenin and Stalin, that the world must be conquered through war.

My first impression in my travel through Asia was the lesson of Korea. We may be making the same mistake in Vietnam. Twelve years after the armistice in Korea, the United States still has 50,000 American soldiers there facing the Communist enemy eyeball to eyeball across the 38th parallel. Our military was prevented from winning the war in Korea because of political decisions which gave enemy forces a safe sanctuary in Chinese territory across the Yalu River and because they were prevented from bombing the supply lines leading into North Korea from Red China.

Today, in Vietnam our military forces are facing many of the same restrictions. We cannot win the war in Vietnam by sending American boys into the gristmill formed by the countless thousands of North Vietnamese and Red Chinese which can be thrown against them from safe sanctuaries in Red China, Cambodia, and Laos. It is clear to me, and I am convinced my views are shared by our generals and commanding officers in Vietnam, that we should win the war and then negotiate the political problems.

We can win the war if we give the military the authority to win it. First. We should blockade the harbor at Hai Phong, mining it if necessary and warning all nations that no more material of war will be permitted. Second. We should authorize the Air Force to bomb strategic military targets such as the two railroads and mountain passes in North Vietnam which are direct routes for shipping war supplies into North Vietnam from China. We should also bomb military airfields, actual missile sites wherever they are located even within the safe sanctuary around Hanoi. Bombing targets should also include munitions factories as well as gasoline and fuel storage tanks, all of which are now out of bounds for our Air Force within certain restricted areas. Third. We should make clear to any enemy troops threatening the South Vietnamese that there will be no sanctuary from which they may safely invade. The United States has the potential forces to smash the Communist enemy in Vietnam, and we should assure our commanding general there that he will be given whatever forces and supplies necessary to win. The military is ready—the American people are in support of a policy to win—it is up to the administration to give the word.

CLEAR POLICY BACKED BY DEEDS IS NEEDED

While the hot war is in Vietnam, we cannot isolate one single country in Asia. The target of Red China is all of Asia, then Africa, and finally, the world. Like it or not, the United States is looked to for leadership by those nations and those people who still hope to remain free. From my conversations with people in all walks of life in the countries I visited, I find that the people of Asia are concerned about our intentions and our willingness to back our words with deeds. They are not sure we will stick with them when the chips are down. They are afraid of another stalemate such as Korea. They are afraid we may withdraw our troops before the victory is won. The statement by the Secretary of Defense prior to the last election that "we will bring the boys home from Vietnam by Christmas," caused a shattering blow to the morale of the South Vietnamese. Feeling that we were getting ready to pull out, many of the village chiefs and others in South Vietnam prepared to make peace with the Vietcong. Sharing the belief that we would not stay, the Vietcong were able to consolidate their hold on nearly 80 percent of the land and the people of South Vietnam. In addition, American mothers were given the false hope that their boys would not have to fight. We are paying in blood for this mistake in judgment.

We must make it clear that the United States stands with all those who want to be free and are determined to fight for their freedom. Then we must show by deed, that is by force of arms and determination, that we are prepared to win the war in Vietnam and meet head on any future Communist aggression.

TRIP NO EXPENSE TO GOVERNMENT

In the months ahead I will report to you in greater detail on my tour of inspection. I would like to make two things clear. This trip was made at my expense. My administrative assistant accompanied me and he, too, paid his own way—as did Mr. Wallace Malone of Dothan. The trip was made with the encouragement of the Department of State and the commanding officers in the field because they feel it is most important that Members of Congress see at first hand actual conditions in Vietnam, the need for all-out effort, and the manner in which our troops are meeting the challenge.

SENATE

TUESDAY, JANUARY 18, 1966

The Senate met at 12 o'clock meridian, and was called to order by Hon. WILLIAM PROXMIRE, a Senator from the State of Wisconsin.

Bishop W. Earl Ledden, Wesley Theological Seminary, Washington, D.C., offered the following prayer:

Almighty God, who didst raise up strong and good men to design and defend this Nation: grant that this land of the free may ever be led by men empowered by Thy grace to maintain the moral foundations of our country, and, together with other men of good will throughout all lands, to build a thoroughfare for freedom across the world for the blessing of all kinds and conditions of men and the generations yet to be; through Jesus Christ, our Lord. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., January 18, 1966.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. WILLIAM PROXMIRE, a Senator from the State of Wisconsin, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. PROXMIRE thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. LONG of Louisiana, and by unanimous consent, the reading of the Journal of the proceedings of Monday, January 17, 1966, was dispensed with.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was